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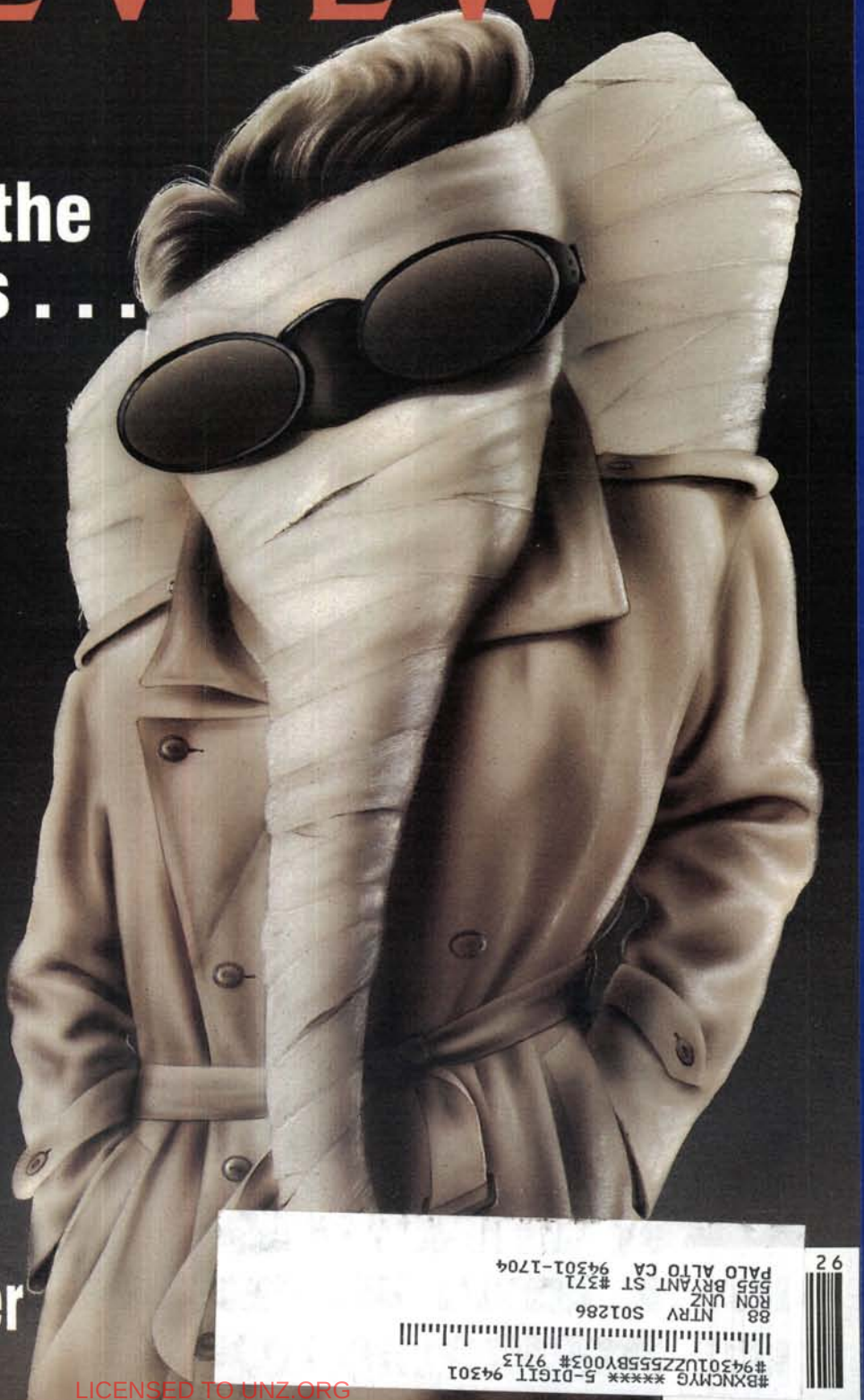
Republicans against the GOP Revolution

NATIONAL REVIEW



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Gekko Balances The Budget

The Case of The Falling Sperm Counts

Soviet Slaughter In Chechnya

How to Convert The Catholic Voter

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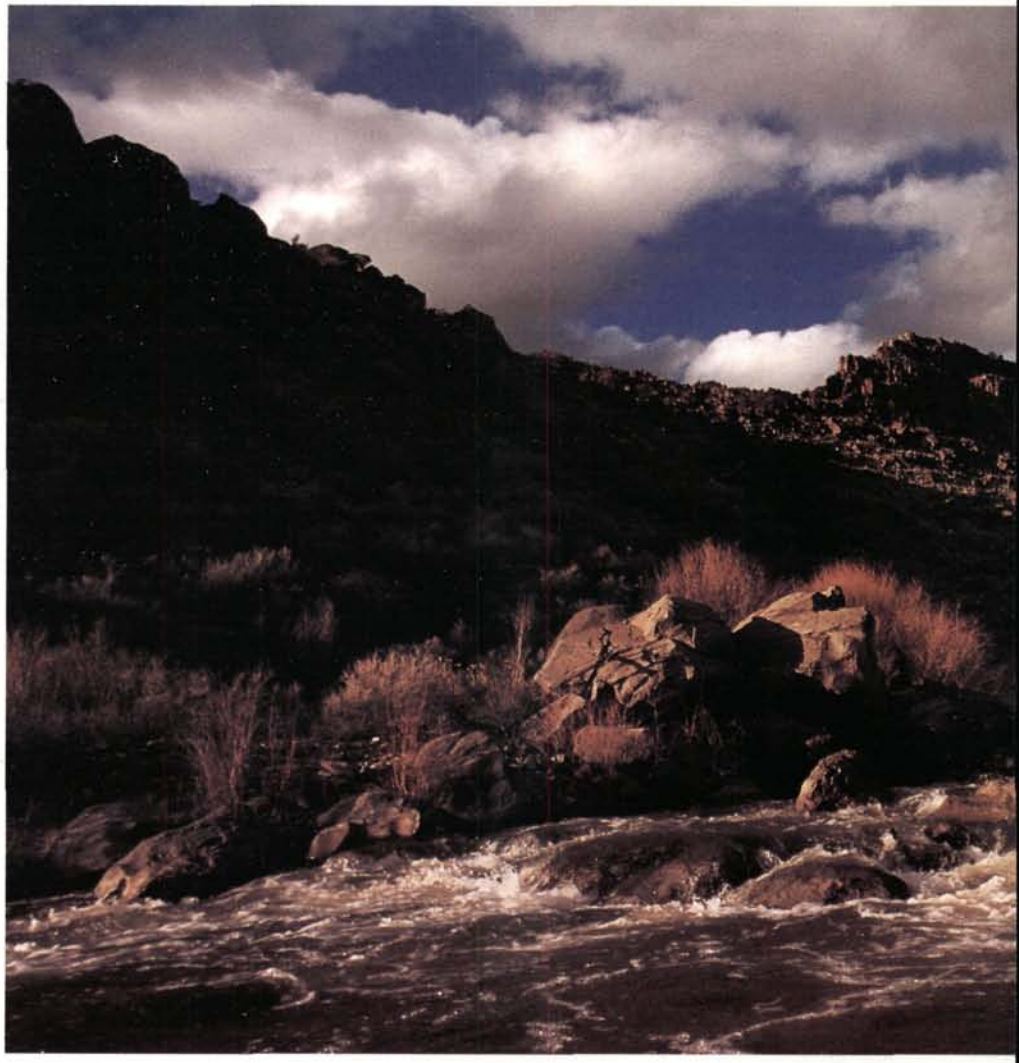

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NATIONAL REVIEW

JUNE 26, 1995 VOL. XLVII, NO. 12

Cover Story

Presidential Politics
Since approval demands perfection, NATIONAL REVIEW unveils (p. 16) the ideal presidential candidate. . . . **Richard Brookhiser** (p. 27) explores the mysterious Gramm campaign. . . . **Kate O'Beirne** (p. 45) says the Catholic voting block is available. . . . **Wm. F. Buckley Jr.** (p. 70) looks at Lamar Alexander's bottom line.

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Letters

Voltage Vehicles

Michael McKenna's "Electric Avenue" [May 29] was grossly one-sided and riddled with factual errors. He bases his dislike for electric vehicles on a gross overestimation of prices that even the "Big Three" are no longer using. Ford, in fact, has said it will offer converted Rangers to electric utilities on the East Coast in 1998 for $22,000 to $23,000—little more than the average price of a new car today.

As for pollution benefits—electric vehicles are the answer. Emissions of carbon monoxide and volatile organic compounds would be reduced by more than 90 per cent; nitrogen oxides would be reduced between 60 and 80 per cent; sulphur dioxide won't increase at all since emissions from utilities are capped under the Clean Air Act Amendments.

Finally, consumers love electric vehicles. The fuel cost per mile is one-half to one-third less than their gasoline counterparts. And can you imagine having a vehicle that needs no oil changes, tune-ups, or other maintenance involving the internal-combustion engine? Even with ranges of less than 100 miles—which will be doubled with advanced batteries going into production later this year—these vehicles draw rave reviews.

While emissions from automobiles have been greatly reduced, the fact is that they still account for more than half of the pollution in many areas of the country. Every power plant in the Northeast could be shut down, and we still would not achieve federal clean-air standards. The automotive sector must do its share.

M. William Brier
Edison Electric Institute
Washington, D.C.

If electric vehicles make economic sense, draw rave reviews, and are universally loved, then obviously a government mandate is no longer necessary. In fact, the utilities ought to be trying to get out from under a law that makes their product smell like yesterday's fish. I would welcome the world's largest group of regulated monopolies to this fight against shortsighted government edicts.

However, in their zeal to sell this technology, Edison Electric and its brethren need to be careful to do two things. First (like everyone else), they need to reference their claims for pollution reduction; second, they need to pick up the recent Carnegie-Mellon study which indicates that heavy use of electric vehicles (and the attendant lead–acid batteries) would mean dramatically increased exposure to lead for everyone. —MM

Taxing Questions

Stephen Moore ["Ax the Tax," Apr. 17] states that the complete replacement of the income tax would require a sales tax of 16 per cent. But what about payroll taxes, which are currently around 15 per cent on wages up to about $60,000, with the 2–9 per cent Medicare component continuing above $60,000? These are as much taxes on income as the income tax. Does Mr. Moore's 16 per cent sales tax assume the elimination of the payroll tax? If not, why not, and what would the sales-tax rate have to be if payroll taxes went the way of the income tax?

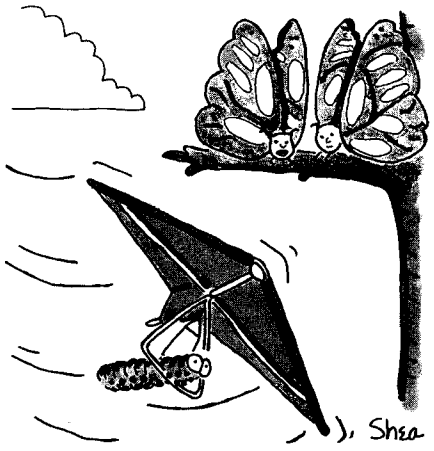
William P. Rudland
Westlake, Ohio

I heartily support the abolition of the IRS and the income tax—at least in its graduated form. But I recently worked up a spreadsheet to measure the potential income and liabilities of renting our house, and saw how completely and invidiously the income tax figured in every aspect of real-estate valuation. Mr. Moore did not mention the potential impact on real estate, both residential and commercial, of the abolition of the income tax. Seems to me it's likely to be a short-term disaster, with windfall opportunities for sharpsters with deep enough pockets to buy up legislatively distressed property. It also seems likely that it will destroy rental housing. Got any answers?

Lawrence Henry
Charlestown, Mass.

The 16 per cent sales tax that I discussed does not include the replacement of the Social Security payroll tax. Some abolitionists would eliminate the payroll tax simultaneously; this would require a sales tax of about 25 per cent. Social Security should be privatized—soon—but my view is that we should take on one liberal icon at a time.

The mortgage bankers and realtors have already started attacking the flat tax/sales tax for eliminating the home-mortgage deduction. Their fears are vastly overstated. The sales tax that I support would exempt real estate. More importantly, although there might be some short-term decline in real-estate values, the sales tax (and flat tax) would dramatically increase savings and reduce interest rates. Thus, in the long run, thirty-year mortgages would be more affordable, thus promoting home ownership. —SM



"Andrew can't wait to get his wings."

Like Salt and Pepper

Peter Samuel's review of my book *Getting There: The Epic Struggle Between Road and Rail in the American Century* ["Books in Brief," May 29] contains the same simplistic analysis of the nature of competition versus regulation that caused both forces to wreak such destruction during the industrialization of America.

That I referred to Robber Baron competition as "predatory" and "socially blind" is not at all inconsistent, as Mr. Samuel suggests, with my conclusion that the regulation enacted to harness that competition ultimately failed. America needed regulation desperately in the 1880s to curb rail monopolies' excesses, and regulation accomplished many of its purposes. But by the 1920s, motorized freight had provided the competitive balance that obviated the need for regulation. Yet Congress waited until 1980 to deregulate road and rail, preventing the marketplace from working and ironically keeping consumer prices artificially high.

In short, a capitalist economy needs both competition and regulation just as a chef needs pepper and salt. The genius comes in knowing when to use them.

Stephen B. Goddard
Hartford, Conn.

Editor's note: Letters of 300 words or less have a greater chance of being published.

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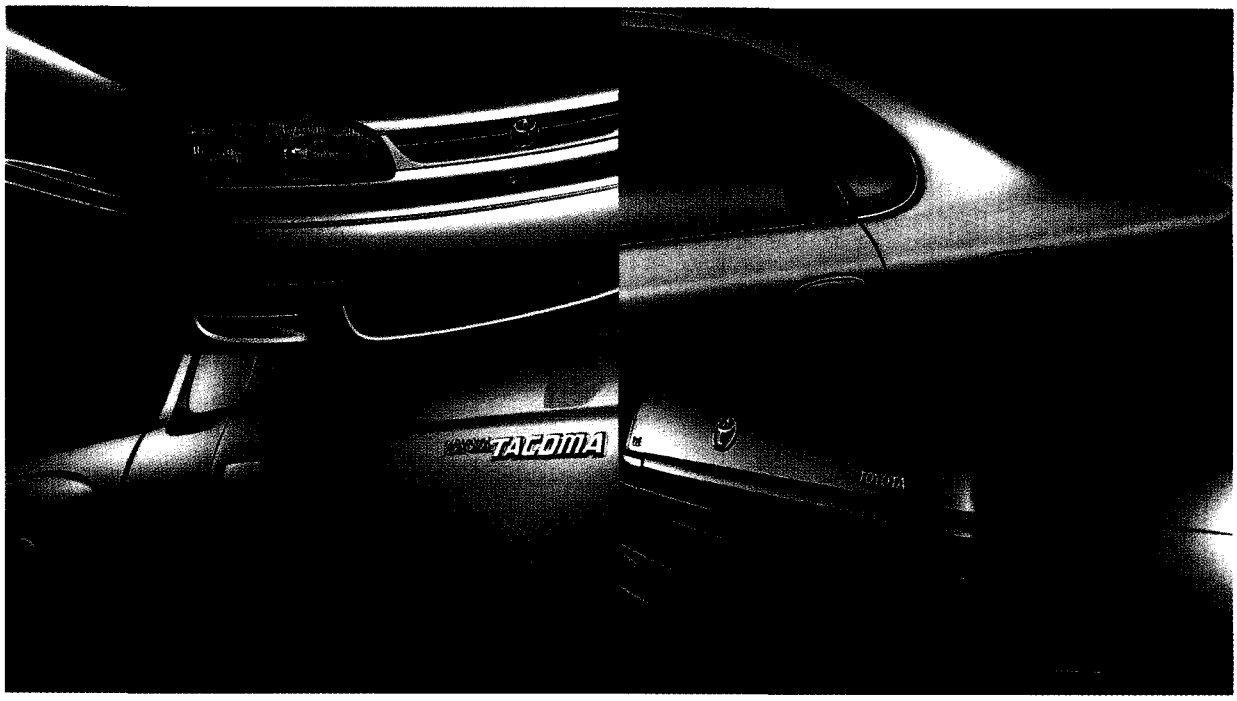

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June 26 issue; printed June 7

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FROM THE EDITOR

Elephant ex Machina

■ Our cover on this issue illustrates the conservative dilemma: since none of the known GOP candidates quite fits the bill, maybe we should list the contents of the bill as a way of persuading candidates, known and unknown, to wriggle into the right shape for it.

Our lead editorial does just that. Now read on.

■ Is Newt Gingrich the deus ex machina under wraps on the cover? There is certainly a small conflagration to that effect around Washington.

Governor Pete du Pont blows both hot and cold on the flames: if the House Speaker gets the whole GOP revolution into statute, he argues, then nothing will prevent an elated Convention nominating him by acclamation; if he gets much less than half that loaf, then he may be allowed to address the Convention at three in the morning.

Either way, Fate, not Newt, will decide. May I jog Fate's elbow? Newt should be President—but not yet. He is needed in his present job, both to complete the revolution and to elevate the importance of Congress in the constitutional scheme of things.

Furthermore, as a new and controversial figure, he might not win this time around. But he is a young man (i.e., younger than me) and he can afford to take the longer view. So here is my game plan for his career:

1. Spend the next six years, the electorate willing, getting conservative reforms through Congress.

2. Resign voluntarily on the grounds that six years is the proper length of service for a citizen-leader.

3. Become president of the Red Cross, AmeriCares, or some other major international charity, and be frequently televised loading medicines onto planes for relief to disaster areas.

4. Retire to mountain-top and commune with navel.

5. Return with tablets of stone, which are subsequently published in paperback and sold at supermarket checkout counters (no sex scenes, please) as *My Plan for Rescuing America from Deficits, Destitution, and the Devil* (if the Democrats are in) or as *Our Shining City on a Hill: Adding the Roof-Beams* (if the GOP controls the White House).

6. When asked, declare ringingly: "If nominated, I will not run—probably."

7. Sit back and wait for nomination by return mail.

Well, there it is. Pretty foolproof, eh? No thanks are necessary, Newt. A small ambassadorship will suffice.

■ But do conservatives actually want to form a permanent majority? Whenever anything happens to advance our majority status, too many conservatives respond with grudging suspicion.

Thus, when Senator Dole attacked the gangsta-rap records put out by Time-Warner, he was echoing and advancing conservative arguments—and doing so to applause from both reasonable liberals and the general public. Pat Buchanan said just that with a refreshing lack of qualification on *Nightline*.

Other conservatives, however, quickly began making objections. *Mr. Dole had never raised these questions before.* True enough, but he is raising them now. Be thankful for late mercies.

Bill Bennett and Charlton Heston had denounced these cultural follies first. Again, true enough. But they have not disdained the assistance of Senator Dole. Why should anyone else?

It's just politics. But Democracy is supposed to mean that political leaders broadly serve the wishes of the people. It happens rarely enough; but it will be still rarer if we complain about it.

Does he really mean it? Well, I doubt that Mr. Dole secretly tunes into gangsta-rap stations.

Suppose, however, that he doesn't mean it. He is more likely to be converted to sound views if he makes more speeches as eloquently on the right side as his Hollywood speech. How can we encourage this?

As *Variety* might say: "Applause, applause." —JOHN O'SULLIVAN

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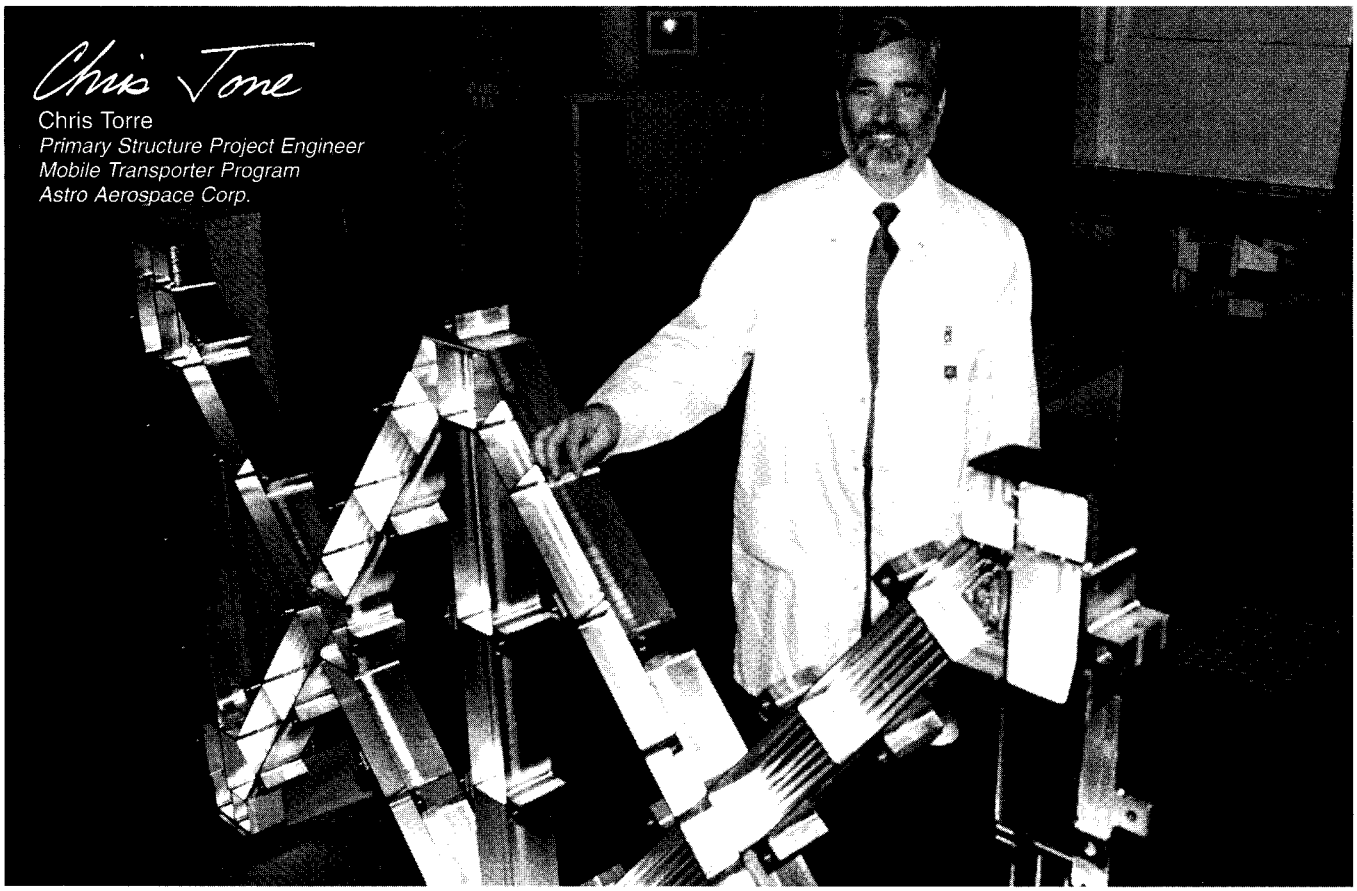
The Space Station. It's about life on Earth.

PROGRESS REPORT

JUNE 1995



Chris Torre with lower frame of the Space Station's Mobile Transporter.

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Huntsville, Alabama

The Space Station's water purification system has successfully passed a series of tests designed to evaluate the removal of bacteria, fungi, and live viruses from waste water. The tests featured the first use of a fully integrated processor which automatically determines water purity.

Dallas, Texas

McDonnell Douglas recently completed tests of Active Thermal Control System radiator panels. To simulate on-orbit conditions as the station goes in and out of sunlight, freeze-thaw cycles were conducted in a thermal vacuum chamber. All test results were positive.

Huntsville, Alabama

Welding has been completed on two of five sections of the U.S. Laboratory, one forward bulkhead, and one mid-cylinder. In addition, girth welding of Connecting Node 1 is complete; and machining operations on the Node Structural Test Article are nearing completion.

BOEING

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FOR THE RECORD

■ **Bob Dole**'s and **William Bennett**'s attack on Hollywood—especially Time-Warner, Inc.—for too much sex and violence turned up intriguing statistics. Center for Responsive Politics reported show-biz and media PACs contributed $8 million in '92 election, with 72 per cent going to Democrats. Time-Warner's PACs donated $444,000 to Democrats and only $140,000 to Republicans. . . . *Washington Times*'s Inside Politics—a daily must-read in D.C. edited by **Alan McConagha**—turned up this gem: comedienne/vulgarian **Roseanne Barr** voicing grave concerns that Hollywood's efforts to feed the nation's "enormous spiritual hunger" are unappreciated. "Those of us who are artists and try to speak to the need are being censored and burned at the intellectual stake in so many ways," she told Southern California Americans for Democratic Action at their annual **Eleanor Roosevelt** Awards Dinner.

■ Liberal exultation over Supreme Court's 5 to 4 decision striking down term limits was short-lived. In panicky analysis, *New York Times* Court-watcher **Linda Greenhouse** (an ultra-liberal once reprimanded by editors for marching in pro-abortion parade) noted Court is now only one vote away from completely overturning its longstanding approval (since New Deal) of federal pre-emption of states' rights. . . . Many conservatives disgusted with votes of **David Souter** (appointed by **George Bush**) and **Anthony Kennedy** (by **Ronald Reagan**), who posed as judicial conservatives before they got on Court. "The problem isn't philosophy, it's wounded pride," said one Court watcher. According to sources close to Court, Kennedy's lurch to the left (he voted against flag-burning ban and then upheld *Roe* v. *Wade* and anti-prayer decisions) is reaction to nomination hearings. Stung by criticism he was too Catholic, too conservative, and too Californian, Kennedy avidly sought favorable *Washington Post–New York Times* coverage, speaking invitations from prestigious, liberal law schools, and a chummy relationship with **Laurence Tribe**—the Harvard left-wing legalist who led odious attack on **Robert Bork**, Reagan's first choice for Kennedy's seat. (Tribe has also advised Kennedy and Souter on law-clerk choices.) . . . Souter is potential issue in GOP presidential race. In an editorial titled "Bob Dole's Friends," *Wall Street Journal* criticized Souter's mangled legal thinking but also noted he was protégé of former Sen. **Warren Rudman** (R., N.H.), a close Dole ally. *Journal* wondered if a Dole Administration wouldn't, like Bush's, be too partial to advice on Court appointments from GOP moderates.

■ Conservative think-tanks are doing their thing. Cato Institute has produced study calling for abolition of Federal Communications Commission; Heritage Foundation's **Marshall Whitman** has estimated nine American families are needed to support one federal bureaucrat; and American Enterprise Institute is publishing *CIA Estimates of Soviet Military Expenditures: Errors and Waste*, by U.S. Defense Dept. official **William Lee**.

Saluting Lee at AEI seminar, superbrains **Richard Perle** and **Nicholas Eberstadt** cited his heroism in fighting bureaucratic war during Seventies and Eighties with CIA experts who vastly underestimated Soviet strength.

■ Vietnam's internationally acclaimed novelist, **Bao Ninh**, is in deep trouble with government for new love story saying life was better in South when Americans were there preventing a Communist takeover. . . . Chinese officials stepping up roundup of dissidents in preparation for death of Paramount Leader **Deng Xiaoping**—currently taking longer to die of ill health than **Meyer Lansky**. Columnist **Gwynne Dyer** says pro-democratic forces are alive and well in form of **Wang Juntao**, dissident nuclear physicist sometimes called "China's **Sakharov**." . . . Poland's highest court has overturned Cold War conviction of **Ryszard Kuklinski**, a military officer who spied for West and now lives secretly in United States. . . . *NR* contributor **Peter Witonski** reports that Albanians in capital city of Tirana are erecting a monument to **Ronald Reagan** and **Margaret Thatcher** with the inscription: "Liberators." . . . Lady Thatcher continues to stir political waters. Besides criticizing her Conservative successor, Prime Minister **John Major**, she recently praised Labor Party's **Tony Blair** as best opposition leader in 30 years. . . . In Ireland, rates of unemployment and emigration are both down and foreign investment up, but country faces a grave new crisis; nationwide crackdown on drunk driving is undermining economic stability and morale, according to pub-owners.

■ Rep. **Earl Hilliard** (D., Ala.), is Congress's most frequent flier with 38 days abroad and six trips. Questioned by NBC reporter **Lisa Myers** about purpose of recent Paris junket, Rep. Hilliard, whose committee assignments are Agriculture and Small Business, said he had discussed Bosnia—"We may have, because of the things we did, averted World War III. We don't know. And we will never know.". . . Forget about shutting down Pennsylvania Avenue as security measure, says veteran conservative politico **Lyn Nofziger**: "What they really need to worry about is that big bag of fertilizer in the White House exploding." —**OCD**

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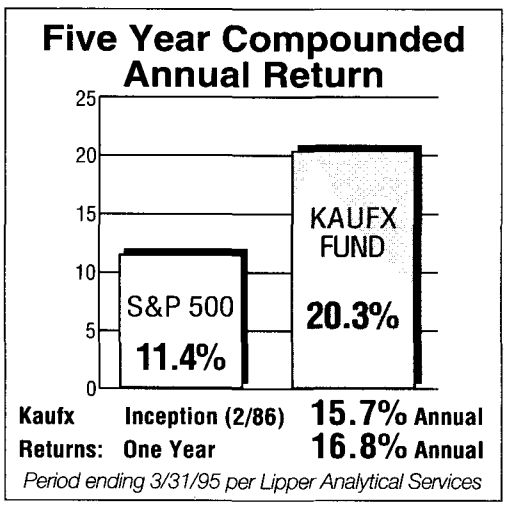

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THE WEEK

■ President Clinton is reported to be contemplating a notion to develop an initiative to consider the possibility of formulating an intention to assemble a framework which could, under certain circumstances, be used to develop the foundation for a possible plan to devise a tentative policy on Bosnia.

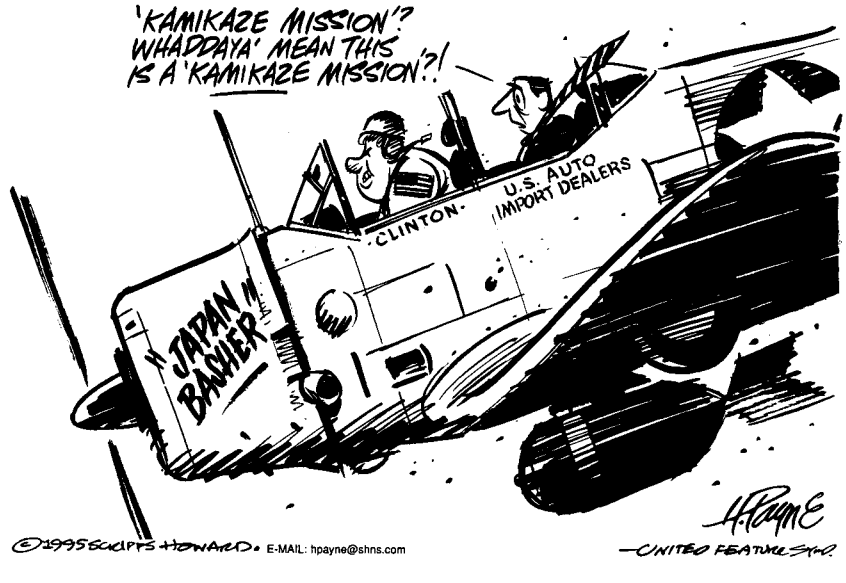
■ You don't have to be a weatherman to tell which way the wind is blowing—you just need to look at Pete Wilson. The California governor's executive order ending racial preferences not mandated by state or federal law is reassuring: if Pete Wilson is out in front on affirmative action, there's no place safer to be. Representative Charles Canady (R., Fla.) will soon join him there when he introduces his "Civil Rights Act of 1995," a measure (inspired by the California Civil Rights Initiative) that would wipe out preferences at the federal level. Bob Dole will likely be close behind with his own version in the Senate. It bears repeating that, in taking on affirmative action, jittery Republicans only have to cut through a thin layer of media and establishment flak before meeting the broad sense of fairness of the American people. Fortune, in this case, is forgiving; she doesn't favor the brave so much as those, like Wilson, with elementary political smarts.

■ After watching House Republicans march with the precision of an honor guard through the first hundred days, new-generation senators have rebelled at the stumbling on their side of the Capitol—Mark Hatfield's dissent on the Balanced Budget Amendment being the foremost example. So Connie Mack (Fla.) has proposed a serious overhaul of the Senate Republican Conference. After each election Senate Republicans would get together to set a policy agenda for the next Congress, a mini Contract with America. Then, before electing their committee chairmen, senators could find out if a would-be chairman disagreed with any of the items of this common-denominator, got-to-have-it agenda. If so, would-bes might become also-rans. Moderates are screaming that this reform assails the "diversity" of the party. But Mark Hatfield and his Old Guard soulmates would provide the same "diversity" as ranking majority members of their committees that they now do as chairmen. They just wouldn't give as much aid and comfort to the Democrats.

■ Telecommunications is the most thoroughly regulated industry in America, and it just might stay that way. The telecommunications bill crafted by Senate Commerce Committee Chairman Larry Pressler (R., S.D.) contains some ninety new rule-making functions for the Federal Communications Commission, retains elements of the disastrous Cable Act of 1992, and raises the specter of new telecommunications entitlements by possibly extending "universal service" requirements (which now apply to phone service) to new technologies. Pressler has apparently been rolled by Senator Ernest Hollings (D., S.C.), who has pulled the Senate bill ever closer to the two-hundred-page regulatory monster he proposed last year. The House telecom bill is better, but it still suffers from timidity and the close relationship of Representative Jack Fields (R., Tex.), chairman of the relevant subcommittee, to liberal Democrat Edward Markey (Mass.). Bolder stuff comes by way of a new report from the Progress and Freedom Foundation which calls for abolishing the FCC, slicing away huge swaths of regulation, and privatizing the electromagnetic spectrum. It's time the Third Wave met the free market—and Republican committee chairmen met both.

■ Everywhere he goes, he says, people ask Colin Powell what he believes. We can tell you exactly what he believes: that, "You're not going to hear it today."

■ Aliens who are convicted of felonies after coming to America are "deportable" under the Immigration and Nationality Act. They are rarely deported, however, because they are able to seek endless judicial review of the order of deportation. According to a 1995 Senate Report on Criminal Aliens in the United States, a conservative estimate of the total number of deportable



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HERE ARE SEVEN REASONS WHY YOU SHOULD SUPPORT
A MORATORIUM ON IMMIGRATION

1 WE'RE FULL NOW. We are living through the greatest sustained wave of immigration in American history. Why? The Census Bureau says that current immigration trends will increase our population to nearly 400 million by 2050 and 70 percent of the increase will be due to immigration. That's 130 million more people than are here today.

2 THE SYSTEM'S OVERLOADED. There are nearly four million people waiting in line to enter. The latest wave of new citizen naturalizations will generate millions more new relative petitions. System overload has caused the immigration enforcement arm of the Federal government to nearly collapse while too many people enter too fast, and backlogs grow exponentially. We need a break.

3 WE NEED TIME TO ASSIMILATE. Throughout American history, the country has had sustained periods of low or negligible immigration. These periodic lulls enabled the country to absorb and assimilate those who had come before. Remember how the turn-of-the-century immigrant ghettos of our large northern cities melted away into the American mainstream during the low-immigration years leading up to 1965? We need another sustained lull now.

4 A DECLINING STANDARD OF LIVING. Immigration trends are troubling. Immigrants today are less skilled, less educated, and more likely to use welfare (1990 Census). Recent studies show that immigrants are far more likely than citizens to be on welfare, live in poverty, get the Earned Income Tax Credit, be in prison, work without health insurance, and live in overcrowded housing conditions. New data from the General Accounting Office reveal that immigrants are now using federal welfare programs like SSI and AFDC at skyrocketing rates.

5 LABOR MARKET. Immigrants are entering the country without regard to our changing labor needs. This means an increased supply of low skilled labor and heightened competition in many labor sectors; the resulting wage depression is increasing the gap between rich and poor in the highest immigrant-receiving communities.

6 THE PEOPLE WANT AN IMMIGRATION MORATORIUM. Polls show an overwhelming majority of the American people want a lot less immigration or even an immigration moratorium. (Roper Poll, May 1992; Latino National Political Survey, December 1992). These are persistent results over time. Most of the people cannot be wrong all the time!

7 THE SYSTEM'S BROKEN. The current system breeds lawlessness. Thousands of illegal immigrants enter the country every day—two to three million a year. Fake documents are easily obtained, providing access to welfare and benefits meant for citizens and legal residents.

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■ A clause was omitted from one of last issue's "On the Right" columns. On page 79, bottom of middle column, the sentence should end, "although the age at which one dies is not infinitely elastic, it is to some extent elastic."

aliens in the country is 450,000. The Immigration and Naturalization Service cannot house this many, so most of them are released onto the streets, with instructions to report several months later for an INS hearing. Needless to say, most of them miss their hearings. They do not vanish for good, however. A recent study by the General Accounting Office found that 77 per cent of non-citizens convicted of felonies are arrested at least one more time. In Los Angeles County alone, more than half of incarcerated illegal aliens are re-arrested within one year of their release. Under provisions of the Senate Republican anti-terrorism bill sponsored by Spencer Abraham (Mich.), aliens would still have all the due-process protections afforded American citizens on the underlying offense. There would still be a hearing before an immigration judge, which could still be appealed to the Board of Immigration Appeals. All the Abraham provisions remove is the much-abused process of judicial review of the order of deportation. But this is too much for Senator Edward Kennedy, who has offered amendments to keep the status quo. If he succeeds, alien felons will continue to be deported at the current pace—about 4 per cent a year. Assuming no alien is ever convicted of another felony, it would take 23 years to deport the current backlog. The first step to controlling our borders is controlling Senator Kennedy.

■ Did you hear the one about the Italian, the Chinaman, and Ed Rollins? If Rollins were a centipede, he would find some way to put all his feet in his mouth. But his latest gaffe, for which he was bounced from the Dole campaign (calling two Democratic congressmen "Hymie boys"), was said at a roast, in a clear spoof of Jesse Jackson's remark of 11 years ago. So people lose their shirts for jokes? For jokes about prejudice? For *bad* jokes about prejudice? Call Yakov Smirnoff, Russkie comic: What a country!

■ Back in January, New York State residents were treated to a tantalizing prospect: a genuine reduction in state spending. Governor George Pataki's first budget promised to cut welfare payments to able-bodied recipients by 25 per cent, limit recipients to ninety days of eligibility, cut the number of services covered by the state's gold-plated Medicaid entitlement, and force the largest, most costly, state university system in the nation to make do with less state aid. In a word, Mr. Pataki would undo Mario Cuomo's fiscal legacy. Although details are still blurry, the budget just passed looks more like a Cuomo encore. While hammering out a few minor, largely cosmetic, reforms, Pataki caved in to downstate liberals on the big social-welfare reforms. To hear him tell it, he delivered a bona-fide "cut" in state spending. Not exactly. His budget merely hides a rise in total state-supported spending in the "off-budget" accounts created for that very purpose by Cuomo. The budget is not even balanced. It relies heavily on "one shots"—non-recurring revenue gimmicks—that plant the seeds for future fiscal crises. The good news for New Yorkers is that the state's top marginal income-tax rate will fall to 7 per cent from the current 7.9 per cent. But this simply implements a pledge first made by Mario Cuomo. Notify the Albany police: George Pataki is a missing person.

■ Washington park police nabbed several more people trying to climb over the fence at the White House. They were escorted back to their jobs in the Clinton Administration.

■ Robin Harris and Peter Rodman chronicle the humiliating somersaults of Western policy on Bosnia in "On the Scene." The U.S. and its NATO allies seem committed to reinforcing failure, differing only in the level of enthusiasm with which they do so. The present policy—irresolutely getting involved—is condemned by its results: a U.S. flyer downed and French and British soldiers taken hostage for the sake of a "humanitarian" intervention that refuses to take sides between aggressor and victim. Resolutely staying out would be an improvement, as it would avoid short-term risks (including risks to the lives of U.S. soldiers and airmen). It would, however, have long-term risks, notably rewarding aggression, spreading anti-Western and fundamentalist passions throughout the Islamic world (including—ominously—Muslim communities in the United States), and discrediting NATO as a force for peace on Western terms. That is why *NR* has consistently supported limited aid to the Bosnians—lifting the arms embargo, mounting air strikes against the Serbs, but not deploying U.S. ground troops, *and* withdrawing the UN forces already there. Most Americans would now endorse these provisions with the exception of air strikes. To be sure, air strikes carry risks—

Dole's Hollywood Moment

While Gramm denies a letch for porn
And Wilson's still stone-mute,
Dole, picking up where Quayle began,
Goes on a moral toot,
Attacking rap and movies fit
For things bred in a pod,
While scoring points like Moses when
Reporting chats with God.

W. H. VON DREELE

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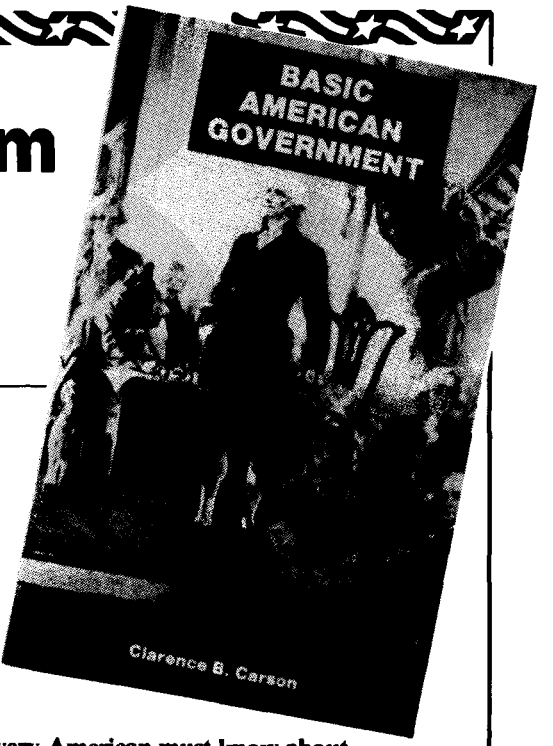
Why does this differ from every other handbook on our government?



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- Why it is inaccurate to call our system a "democracy"
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though no more than the risks of the present policy of using air power merely to ground Serb planes. And they make military sense, because they neutralize the Serbs' only advantage, namely heavy weapons, over the numerically stronger and more motivated Bosnians and Croats. No policy is certain of success. But aiding the Bosnians in these ways has one indisputable advantage over the present policy: it has not already failed.

■ Bob Dole has changed his mind on the deployment of ground troops, but hopes that Time Warner will come to the peace table before it becomes necessary.

■ Liberals for years lauded the "Swedish model" as a middle way to American capitalism and Soviet socialism. You don't hear such talk much these days, and the reasons why are documented in Ingemar Stahl and Kurt Wickman's *Suedosclerosis* (Timbro). They describe Sweden as "a high-tax country with aggressive unions and an endless succession of new, opportunistically dictated impositions on business. One moment the cry is occupational safety and health, at another it is the environment, at a third women's pay, and at a fourth something else." The results include anemic growth, rising unemployment, and government debt as far as the eye can see. But with more than 60 per cent of the voters dependent on the government for the greater part of their income, reform won't happen soon. For the foreseeable future, the only Swedish models are going to be blonde and leggy.

■ Gordon Liddy is to the Second Amendment what Nat Hentoff is to the First. Neither man knows where his favorite bit of Constitution comes from, or how it fits with the other bits; each knows only that it is holy. "The one thing that causes them to tremble," declared Liddy at a Washington rally, also addressed by the left-wing sectary Leonora Fulani, ". . . is that you have guns." (*Them* meant the Clinton Administration, and the Federal Government generally.) But there are in fact many other things that keep *them* in their place, including property rights, words, elections, other branches of government, and mediating institutions. Until Liddy widens his Cyclops gaze, he will make more such statements, and appear at more rallies in the company of such as Miss Fulani.

■ "Adults should read more children's books," advises Attorney General Janet Reno. Her favorite: *The Little Engine That Could*. This is one of our favorites too, especially the part where the train says, "I think I can, I think I can," and then crashes through the wall and burns down the train station.

■ In this issue, Robert P. George and William C. Porth Jr. offer their response to Ernest van den Haag's defense of assisted suicide. One additional point deserves consideration. Opponents of suicide are often branded by its votaries as preferring pain to "death with dignity." This is a false dilemma, which Hippocrates saw the need to avoid if medicine, and humane society, was to survive. There is a large middle ground which heroic doctors, families, and true friends seek every day, refusing the "right to despair" demanded by the new barbarism. It is the middle ground of relieving pain, physical and psychological. Every day, like every other science, this one makes advances. In extreme cases where physical pain remains intractable there is nothing wrong with giving doses of painkillers so large that they might prove lethal, as long as one's intent is not to kill. If as much attention and energy were devoted to celebrating and advancing the science of easing pain as to following the exploits of Jack the Reaper, the right to death would be a dead issue.

■ Sorry, we missed the third anniversary along with everyone else, but it was on May 8, 1991, that then Governor Clinton enticed then Miss Paula Corbin to his hotel room and asked her to perform "a type of sex," i.e., the type that is performed, well, you know. To this day, justice has not been done on the lady's complaint of sexual harassment, presumably on the theory that justice delayed is justice denied.

■ Lovesick yellow-shafted flicker woodpeckers, building homes for their inamoratas, drilled 78 holes in the Space Shuttle's main booster tank. Even if the engineering problem is soluble, the EPA may ground the Shuttle permanently as a woodpecker habitat.

The Elephant Man

IS Bob Dole a George Bush in waiting? Phil Gramm a budgetary technocrat with no feel for social issues? Lamar Alexander a chameleon in plaid? The current Republican presidential field consists of lesser evils and greater question marks, a bustling bazaar offering mostly hand-me-downs.

Where is the candidate who can bring the GOP's presidential politics into line with the advanced state of its congressional (or at least House) politics? If naming the right person is difficult, outlining the right qualities isn't. The first quality of Candidate X is an awareness that the economic goals of the Republican Party go well beyond balancing the budget. Whether big government is funded by borrowing (budget deficits) or taxes (balanced budgets), it's a drag on the economy and an intrusion in people's lives. Deficit mania is already getting in the way of the tax cuts that would mean less money in the pocket of government and more in the pockets of the American people. Freedom and opportunity, words so central in the Reagan years, are rarely heard these days. Unless

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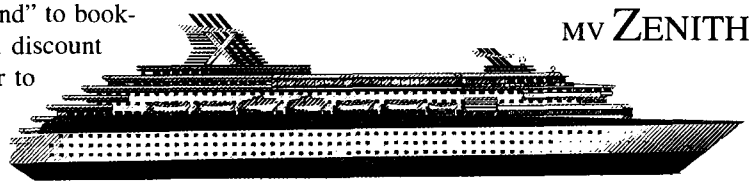

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they gain new prominence, Republicans risk becoming the party of fiscal nags.

Next come the social issues. Republicans are the party of social conservatism. No ring in America will be kissed more often in coming months than that of Ralph Reed, executive director of the Christian Coalition. Keeping religious conservatives happy is a practical necessity—look no further than the oneupmanship of Bob Dole and Phil Gramm—but their issues mean much more than that. The nation is engaged in a battle for its soul. On issue after issue, only limited progress can be effected by government reform. Would the "family cap" in the House Republican welfare bill—denying extra benefits to a welfare mother who has

Right Data

When Less Is More

DAVID STOCKMAN, Ronald Reagan's first budget director, was sent to Siberia when he said of the federal budget process that "Nobody knows where all these numbers come from." He was right, of course. Yet nearly 15 years later the press and public still regard government numbers as something akin to gospel truth.

So the debate still rages over whether tax cuts are consistent with budget balance. House Republicans want to cut capital-gains tax rates in half. If you're in the 28 per cent bracket (taxable income of $38,000 to $92,000 for joint returns), you'd pay just 14 per cent on your stock profits. The House bill would also include indexing, so that no taxes would be paid on the part of capital gains that results solely from inflation. We are told these provisions will cut revenues by $32 billion over the next five years.

Nonsense. They probably won't lose a dime. A tax cut of this magnitude will generate enough business investment to support 721,000 new jobs, according to economists Gary and Aldona Robbins. By the year 2002, annual GDP would be $268 billion higher than otherwise. The bottom line? Higher income-, payroll-, and excise-tax receipts will more than offset the loss in capital-gains revenues.

Critics say that the string of high deficits following the 1981 tax cut effectively destroyed the credibility of such dynamic forecasts. The chart shows otherwise:

A Futile Policy: Higher Income-Tax Rates

	Top Tax Rate	Income-Tax Revenues Constant 1992 $	Income-Tax Revenues As % of GDP	% of Income Taxes Paid By Richest 1%
1960	91.0%	$210.9 bil.	8.1%	20.7%
1970	71.75	335.5	9.2	17.6
1980	70.0	418.7	9.2	19.0
1986	50.0	436.8	8.3	24.3
1990	28.0	504.1	8.5	24.4
1991	31.0	483.7	8.2	23.9
1992	31.0	476.0	8.0	26.8

Sources: National Center for Policy Analysis, Office of Management and Budget

Incomes reported by the wealthiest 1 per cent of taxpayers rose rapidly in the early 1980s—so rapidly that their share of total income-tax payments rose from 17.6 per cent in 1981 (the same as in 1970) to 24.3 per cent in 1986. (By contrast, from 1960 to 1980 tax rates were much higher, and the share paid by the wealthy was generally much lower.) In 1986 tax rates were cut on ordinary income, but raised on capital gains. The progressive trend continued, albeit barely. In 1988, the final year of the Reagan Administration—and in that sense the high-water mark of the "decade of greed"—the richest 1 per cent paid a record 26.7 per cent of all income taxes.

Overall, the tax-cutting experiment was a smashing success. From 1983 (the year the Reagan tax cut was fully phased in) to 1990, personal-income-tax receipts rose from $401 billion to $504 billion in constant 1992 dollars. That's a 25 per cent revenue boost at a time when tax rates were plunging. The deficit, after peaking at 6.3 per cent of GDP in 1983, fell to $153 billion, or 2.9 per cent of GDP, in 1989.

Things changed drastically after Congress raised tax rates in 1990. Income-tax receipts fell in 1991, and they fell in a very revealing way. For the rich, defined as individuals earning $200,000 and more, tax receipts fell by $6.5 billion, or 6.1 per cent. But for everyone else, tax payments actually rose in 1991, by $3.3 billion or 1 per cent. This odd dichotomy makes it difficult to blame the reduction in income-tax revenues on a weak economy. The rich didn't have a bad year, they merely changed their behavior in response to higher tax rates. They bought more municipal bonds, converted ordinary income to capital gains, worked less, and shifted discretionary income to 1990 when rates were lower.

Bill Clinton thought that a retroactive tax hike would succeed where other tax hikes had failed. It didn't. The Administration's own budget figures show that income-tax revenues have grown far more slowly than other tax revenues since the 1993 tax hike. Wealthy taxpayers merely shifted income to 1992 in anticipation of higher taxes in 1993.

If Washington is serious about balancing the budget it should discard those forecasts showing losses from lower tax rates. How about privatizing federal revenue forecasting? —Ed Rubenstein

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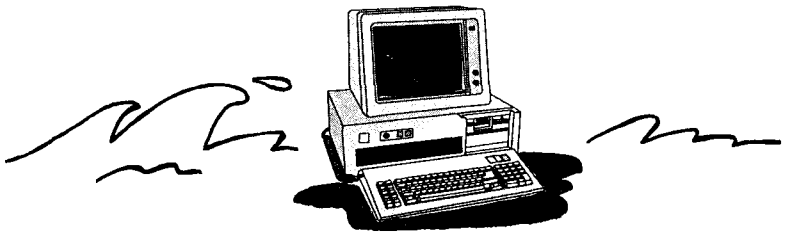

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another child—reduce illegitimacy? Maybe. But a "Great Awakening" would do far more. And even though politicians can't arrange that, the next Republican President must do what he can to foster a moral revival. Candidate X must mean what he says on social issues, bringing a commitment strong enough to withstand the inevitable counterpunches in the culture war.

The great forgotten issue in American politics is foreign policy. America's historic tendency has been to pull back from engagement immediately after a war. Though the post–Cold War locus of this impulse is in the Democratic Party, many of the GOP freshman congressmen hold views on foreign affairs—including trade—not so very different from Ross Perot's and Pat Buchanan's. But leaving the world to its own devices eventually means trouble for American interests, and restricting trade only protects inefficiencies in the American economy. Republicans need to steer a path between Clinton's frivolous multilateralism and the Perot/Buchanan abdications. Candidate X would stand up to the isolationist wing of his own party to defend an American exceptionalism that includes a vigorous leadership role abroad. But that leadership cannot be a series of spasmodic interventions. Candidate X should seek to create a structure of world stability—with America the dominant power in a West that is the dominant force in the world—so as to make intervention generally unnecessary.

A fourth issue-cluster is what might be called the "national identity question." It includes ethnic quotas, bilingual education, multiculturalism, and immigration. But the overall question is greater than its parts. For it addresses the uncomfortable sense many Americans have that the national community is splintering into racial, ethnic, cultural, and linguistic enclaves which scarcely share a common culture, let alone feel a common allegiance. Democrats will never address these anxieties since their power is based largely on exploiting ethnic divisions and minority grievances. But the GOP establishment (with the partial exception of Pete Wilson) has also been AWOL on these powerful issues, absurdly bullied into believing that the notion of an inclusive American identity somehow excluded non-whites and even non-WASPs. It has been left to Pat Buchanan, and to non-candidates such as Lynne Cheney with her campaign against the new standards for teaching history, to take up Teddy Roosevelt's vision of an America in which citizens reserved their hyphens for the church, the home, and national-day festivals. If Dole, Gramm, Alexander, and the rest continue to shrink from defending a common American identity against ethnic particularisms and the solvent of mass immigration, then either Buchanan will run away with this issue—or a new third party will do so. It might be led by Ross Perot. Or by Colin Powell. These are issues which sit most comfortably on the right, but which a shrewd centrist or moderate liberal could harness to his cause with only minor adjustments of rhetoric—stealing that nationalist appeal that has always contributed to the GOP's success. Candidate X must beat them to the punch.

A candidate, of course, is more than a collection of policy positions. He must also have a certain *gravitas*. One test is military service. The candidate who has served has given something to the nation. For conservatives this should be Bob Dole's greatest strength. He left a part of himself in Italy, a sacrifice that must tinge the criticism of even the deepest Dole skeptic with respect. Generosity of spirit is another crucial quality. A candidate's appeal should always be large-minded, even when he is dealing with issues that legitimately attract resentments (affirmative action, welfare). Service in elective office is another prerequisite, if a more mundane one. For all the rhetoric about "career politicians," the Presidency is not an entry-level position. Last and most important is political imagination, an ability to see the angel of opportunity waiting in a chunk of marble for just the right strokes of the chisel: Ronald Reagan transcending Communism, Margaret Thatcher transcending the Nanny State. It's the vision that moves politics in quantum leaps instead of baby steps.

Is there anyone to fill Candidate X's shoes? Every time Bob Dole affirms that the budget can be balanced at the same time as taxes are cut, or Phil Gramm takes a trip to Lynchburg, Va., or Dick Lugar proposes abolishing the IRS, it's a sign that another candidate has understood the power of the conservative message. And if in the current crop of candidates and possible alternatives there's no obvious heir to Reagan, the willingness to aspire counts for something. X may mark an empty spot, but the territory closest to it is worth occupying.

Clinton as Clausewitz

In Bosnia, where Bismarck banned
His grenadiers, the British land,
As Mr. Clinton's armchair call
Continues to deploy a pall,
While at the Hague a court reviews
Atrocities that shock the Jews.

W. H. VON DREELE

What's in a Name?

EARLY word that the Clinton Administration considered omitting mention of V-J Day from the fiftieth-anniversary celebrations of the end of World War II brought protests from veterans'

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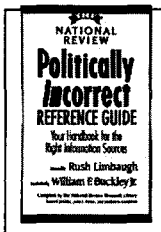

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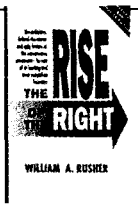

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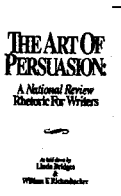

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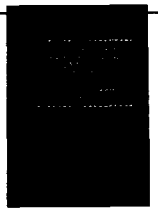

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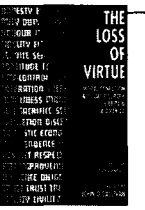

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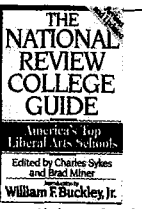
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groups and the characteristic Clinton backtrack. White House press secretary Michael McCurry denied that there had been "any serious consideration to changing, you know, the name."

There remains a big problem with, you know, memory—Clinton's and, ultimately, ours. Clinton will share the spotlight in Hawaii with no other heads of state, only defense ministers. Once again, Clinton stiffs Britain: the *Prince of Wales*, Singapore, the Burma campaign—all gone. To say nothing of the Philippines, to which Douglas MacArthur vowed to return, and kept his (and our) promise. Australia, New Zealand, China—blacked out. This moral frontal lobotomy was performed for the sake of not offending Japan: if the victims and the victors remembered their trials, the aggressor and loser might be offended. The Clinton kids will wage a trade war on Japan to protect Detroit, but they were willing to fudge a real war waged for our country, our allies, and our ideals.

In the "Four Quartets" T. S. Eliot wrote that the opposing sides in the English Civil War of the seventeenth century had by then (the 1940s) accepted "the constitution of silence." But reconciliation can come only after acknowledgment. The Clinton Administration does us, Japan, our allies, and all the nations of the Pacific a deep disservice.

Ignorant Armies

IN 1892, Representative John De Witt Warner warned Americans against "the protectionist habit of keeping such close watch of foreign nations as to forget the interest of the masses of one's own people." Bad habits die hard: A century later, the Clinton Administration is alleging that unfair Japanese practices reduce Americans' economic welfare, and proposing to retaliate by reducing it still more.

Japanese markets for autos and auto parts are closed. Yet, as Ramesh Ponnuru argues in *The Mystery of Japanese Growth*, published by the American Enterprise Institute and the London-based Centre for Policy Studies, Japan is not the island of protectionism in a sea of free trade that its critics allege. Japan-based managing executives of GM, Chrysler, and Ford have said that they consider the automotive market open, and Japanese imports of American-made cars have risen substantially in recent years. American trade negotiators complain that Japanese carmakers' exclusive dealerships make it hard for U.S. companies to break into the Japanese market. Japanese manufacturers retort that they have instructed their dealerships to take any import franchise they choose, and that the only openly exclusive distribution system in Japan is the one maintained by Ford. In any case, the dealership issue is largely beside the point: the Big Three already have twice as many outlets in Japan as all the European automakers combined, yet sell fewer cars—perhaps because of the lack of right-hand-drive models. The Big Three's half-hearted efforts raise the suspicion that they have less interest in cracking the Japanese market than in convincing the U.S. Government to grant them more control of the American market.

U.S. Trade Representative Mickey Kantor plans to bring his flimsy case against Japan to the World Trade Organization later this month. In the meantime, President Clinton has decided to impose a 100 per cent tariff on Japanese luxury cars. This tariff is supposedly intended to bludgeon Japan into "opening" the market for autos and auto parts. Truly opening markets to the world, however, would offer opportunities to European as well as American companies. Moreover, a free market cannot guarantee that the Japanese will buy as many American cars and car parts as the Administration wants.

Since the Administration's goals are incompatible with an open market, it has pressed instead for an affirmative-action program for the Big Three. And just as racial and sexual quotas come packaged as "goals and timetables," so this plan resorts to euphemism: the Japanese government is to establish a "voluntary goal" that, by 1998, 200,000 American cars will be sold each year. (Vehicles made in America by American workers for Japanese-owned companies will not count.) A similar "voluntary plan" will apply to auto parts. Finally, the Japanese government is to force auto manufacturers to sell Big Three products through their own dealerships.

If Japan acceded to these demands, the world would take a giant step toward managed trade. But Japan will probably not give in, and the WTO will probably hold that the punitive tariffs on luxury vehicles are an impermissible breach of global trading rules. This decision will leave Mr. Clinton with two unpalatable alternatives. If he abides by the ruling and drops the tariffs, Pat Buchanan and Ross Perot will howl that the WTO has infringed American sovereignty. If he defies the WTO and keeps the tariffs, he will have set a precedent that other nations will be sure to follow. Routine defiance of the WTO will destroy its usefulness in preventing anti-American protectionism abroad and subvert an institution Clinton has labored mightily to create. In addition, Clinton will have escalated the

Second Thoughts

Mr. Clinton, who championed GATT,
Has discovered the clout in his tat
  Isn't up to the tit
  Japan lands, which can hit
Where it hurts till he's hors de combat.

W. H. VON DREELE

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quarrel with Japan to the level of a trade war: some autoworkers in Michigan might cheer him on, but the hundreds of thousands of American employees of Japanese auto companies, many located in California, will resent his favoritism toward the Big Three.

America's perennial trade tiffs with Japan are geopolitically obtuse. This year's scuffle will not drive Japan and the U.S. apart. But Clinton and Kantor are playing with fire: a Japan that went its own way would destabilize all of East Asia, to the detriment of American interests in peace and commerce. Strategic and economic wisdom counsel against trade brinkmanship. There's only one way to win this trade war: send the soldiers home and let consumers declare victory.

Immigration: Not Fixed Yet

THE report of the U.S. Commission on Immigration Reform is now being selectively leaked to the media. Superficially, the message is a dramatic vindication for *NR* senior editor Peter Brimelow's conclusion, in his just-published book *Alien Nation*, that "America's immigration system is broke and needs fixing. The only issue is: how much?"

The Commission, which last year recommended a serious crackdown on illegal immigration, now recommends reducing the *legal* influx by one-third, partly by eliminating some of the more remote types of family-preference categories. The diagnosis is a triumph for Commission head Barbara Jordan (formerly D., Tex.), who has been able to elicit a direct condemnation of the expansionary 1990 Immigration Act from her panel members even though several of them are immigration lawyers, including the 1990 Act's chief sponsor, Bruce Morrison (formerly D., Conn.). And by implication, the Commission condemns the entire system set up by the disastrous 1965 Immigration Act (chief sponsor: Edward Kennedy, still—alas—D., Mass.).

However, the Commission has a long way to go. According to the *New York Times*, the Commission wants to reduce the slots guaranteed for skilled immigrants, from 140,000 to 100,000. The grounds: "No more are needed." That's true. Immigration is not necessary to the U.S. economy; the economic benefit to Americans from the current immigrant presence is minimal. But the same argument applies to the continued inflow that the Commission would allow. In what sense is this "needed"?

Similarly, the Commission suggests eliminating the 10,000 visas currently reserved for unskilled immigrants. The grounds: "These immigrants compete directly with unskilled American workers." And that's true too. Displacement by the unskilled influx resulting from the 1965 Act is plainly one reason for the expansion of the American black underclass that began about the same time. But those 10,000 unskilled immigrants obviously can't displace Americans as much as a continued inflow of 500,000 or so with family connections—who are generally in the lower-skilled category themselves.

The Commission's prescription is inadequate because it is still attempting to appease the special-interest groups that have controlled American immigration policy in the last three decades. Hence, spouses, children, and parents of U.S. citizens will still be allowed to enter without numerical limit. Many of these U.S. citizens are actually immigrants. Their families are the result of marriages contracted back in the old country. And the evidence is now clear that a high proportion of this influx will become a charge on the U.S. taxpayer. This daisy-chain effect is a problem; until we work out how to deal with it, we need an overall moratorium.

Worse, the Commission recommends that the current 1.1-million backlog of spouses and minor children of permanent resident aliens be admitted through special legislation. This is a typical Beltway solution: begin restricting immigration by admitting more immigrants. Somehow, it never seems to work. Thus the amnesty extended to illegal immigrants in 1986 did not stop illegal immigration. Indeed, 850,000 members of the current backlog are the relatives of those amnestied illegals, who are thus to be further rewarded for breaking American law. If no action is taken, the amnestied illegals will soon qualify for U.S. citizenship and be able to bring in immediate relatives without restriction anyway. Public policy should encourage them to reunite their families by returning home.

By resuming mass immigration in 1965 after a forty-year lull, the U.S. Government effectively embarked on a gigantic social-engineering experiment. It is encouraging a cultural Balkanization of America through public policy, in a way that is unprecedented in the history of the world. And it is second-guessing the American people's collective decision about population size—without immigration, the Census Bureau projects, population would stabilize at 250 to 260 million; but with immigration, it would reach at least 390 million and possibly 500 million by 2050. These basic issues are not being addressed in Washington. Which is why we find House Majority Leader Dick Armey making this astonishing claim at a recent Cato Institute meeting: "I'm hard pressed to think of a single problem that would be solved by shutting off the supply of willing and eager new Americans."

Answer: at the very least, increasing the population by 130 million over the next 55 years will require more money for schools, prisons, and other amenities. It will also render pointless the vast amounts Americans have been induced to spend to protect their environment, on which population growth places the greatest pressure. Must California cease to be the Golden State and become the Golden Subdivision?

Open immigration is actually a highly intervention-

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"Well, well. A page right out of history."

ist government policy, and like most such policies, it has highly perverse results. Why should Republicans play that game?

Welfare Deform

WHEN the staffs of Bob Packwood and John Chafee closet themselves to draft a welfare-reform bill, the result is fairly predictable: just the kind of sham that was passed out of the Senate Finance Committee last week. The good news is the Packwood bill eliminates the entitlement status of AFDC, a change big enough to send lapsed welfare reformer Pat Moynihan into paroxysms of indignation. But the bill falls down in every other area that matters to serious welfare reformers.

On work, it retains nearly every semicolon of the old JOBS program, a nightmare originally drafted by former Representative Tom Downey (D., N.Y.) and designed to thwart Reagan Administration efforts to get welfare recipients actually working. The new bill keeps JOBS provisions requiring states to pay welfare recipients prevailing (read: union) wages, while prohibiting recipients from taking jobs in the *public* sector (another measure to protect unions). It's a formula for expensive make-work. Also missing from the Packwood bill are the measures included in the House version that would reward states for reducing their welfare caseloads. That should be the whole point of reform—not more welfare moms working, but fewer welfare moms altogether.

The Packwood bill is completely silent on illegitimacy. It not only leaves out provisions of the House bill like the "family cap" (which prevents women who have children while on welfare from getting additional benefits) and the denial of benefits to teenagers who have children out of wedlock, but it even eliminates the "findings" in the House bill establishing that illegitimacy is a bad idea. When Senator Don Nickles (D., Okla.) offered an amendment in committee to require states at least to set goals for reducing illegitimacy, it was defeated. All this is done in the name of flexibility for the states, but the Senate seems likely to leave intact the current patchwork of failed federal welfare programs—with the exception of a modest AFDC block grant.

If Packwood prevails, welfare reform will become a repeat of 1988, when he and Moynihan crafted a bill that enjoyed wide bi-partisan support (it passed the Senate 96 to 1) but did little to change the welfare status quo. The real question is how willing Newt Gingrich is to go along with the Senate's weak-sister bill. It may be that the pressure to pass any welfare legislation this year is so strong that the House will be forced to accept—and defend—a sham.

Partners in Appeasement

RUSSIAN Foreign Minister Andrei Kozyrev signed up on May 31 with NATO's "Partnership for Peace," the vague cooperative enterprise the Clinton Administration cooked up to embrace the Atlantic allies, the ex–Warsaw Pact countries, and anyone else in Europe who wants to join. Russia's joining was touted in the media as a great American triumph. In truth, it marked an ignominious retreat from Western efforts to extend NATO's protective umbrella to Central European countries that fear Russian expansionism.

What the West needed above all from Russia—acquiescence in NATO's enlargement into Central Europe—it did not get. Russian objections were reiterated firmly (and somewhat menacingly) by Kozyrev even as he signed the "Partnership" document. And the allies purchased Russia's meaningless membership by a series of assurances that give Russia a veto over any such NATO overtures to Central Europe in the future.

At his summit in Moscow, President Clinton reportedly reassured President Yeltsin that NATO enlargement would not happen rapidly. This pledge was then institutionalized in the May 30 communiqué of the Alliance foreign ministers meeting in the Netherlands. The communiqué twice assures the Russians that NATO enlargement will occur only as "part of an evolutionary process." It also promises that NATO enlargement will "enhance security for all countries in Europe, without creating dividing lines," as "part of a

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broad European security architecture based on genuine partnership and cooperation in the whole of Europe." If this means anything, it means it won't happen if Russia objects. All talk of naming candidates and timetables for new membership by the end of this year, reports the *Financial Times*, has been "quietly dropped." Meanwhile, the communiqué pledges to achieve an agreement with Russia on the "political framework" for intensified NATO–Russian cooperation on European security. Negotiations on this began immediately.

There is much to be said for a cooperative long-term relationship between Russia and the Atlantic Alliance designed to confirm the present benign state of affairs in Central Europe. But discussions with Russia were meant to occupy a "parallel track" with the process of NATO enlargement. As the policy is now being carried out by the Clinton Administration, the NATO train is obviously moving much faster along the Russian track. It is even more obvious that the Russians joined the "Partnership for Peace" with the intention of derailing NATO enlargement—and they have.

Dole Passes the Popcorn

BOB DOLE'S swipe at the entertainment industry for producing "nightmares of depravity" and "marketing . . . evil through commerce" was Academy Award–winning politics. "Phil Gramm makes cruddy movies," said the subtext. "I attack them." Dole came back for a second round when he admitted, on *Meet the Press*, that the "pouting sex kitten" scene in Newt Gingrich's soon-to-be-released pulp fiction was "troubling to me. Maybe it's not troubling to Newt Gingrich." Somewhere in cat heaven, Alice Roosevelt Longworth is smiling.

But Dole was not alone in making his point. William Bennett and C. DeLores Tucker, chairman of the National Political Congress of Black Women, wrote a joint op-ed piece decrying gangsta rap: "music with vulgar and misogynistic lyrics that glorify violence and promote it among children. . . . Newspaper editors and television producers veto even the expletive-deleted versions of these lyrics because they are so offensive and obscene. . . . 'Artists' sing about dismemberment and cutting off women's breasts. This is fair game for an audience of 12-year-olds?"

It's a very profitable game for 30- and 40- and 50-year-olds, which is why entertainment executives, desperate to find some moral high ground, summoned the specter of censorship. In the weird argot of contemporary art and entertainment, censorship means any critical action or opinion, from withdrawing a federal subsidy to giving a bad review. But Mr. Bennett and Miss Tucker called themselves "virtual absolutists on the First Amendment," and Senator Dole proposed no legislative action. Perhaps in an ideal world, cultural critiques would be offered by moralists like Bill Bennett, community spokesmen like DeLores Tucker, and concerned members of the offending industry, like Charlton Heston, who attacked rap songs about killing cops. But when industry moguls cower behind political defenses, they invite politicians to pile on.

The Graves of Academe

SO FAR, no general theory has emerged to account for the following astonishing stuff, but on the university campus things have gone far beyond cribbing and library theft. Consider:

1. Gina Grant's Harvard admission was revoked because she concealed the fact that she had been convicted of murdering her mother, forty whacks with a crystal candlestick. She appears to be headed for Tufts, nearby, or maybe Boston University, which describes her as an ideal candidate for admission.

2. At Harvard's Dunster House, one pre-med stabbed another one to death in her bed, then hanged herself in their bathroom. In the hubbub that ensued, it emerged that there have been four suicides at Harvard recently. The university president, Neil Rudenstein, has recovered from some sort of breakdown. A Harvard official describes Dunster House as the "weirdest" on campus, implying runners-up.

3. Lon Gammer, a C-minus community-college student, doctored his records and faked recommendations, entered Yale, did well, and almost graduated. He faces larceny charges. The *New York Times* story says he "has earned a place at Yale."

4. At Princeton, a con on the lam from Utah, James Hogue, 31, passed himself off as Alexi Santana, a self-educated cowboy. "Santana" became a campus charmer, but his imposture was discovered and he had to serve time. But wait! When he walked out into daylight, Harvard took him up, and even gave him a job at a university geology museum, where he stole $100,000 worth of gems and metals. This Zelig-like character is now back in the cooler. Harvard sources think he will one day be a "great scientist."

5. At Dartmouth, *The Dartmouth Review*, that burr under the official saddle, has uncovered a scandal involving four "campus leaders," all pets of the administration. Three are black, and one of the three is a celebrated homosexual. They appear to have been guilty of all sorts of things: gross sexual misbehavior, bookstore theft, credit-card theft, affidavit forgery. The name of one of the "campus leaders" has become a local verb signifying sexual assault. All of this is being covered up by a stone-walling administration. One of the worst offenders will enter Harvard Law School next fall; another will go to Stanford.

Rumor has it that entering Harvard as freshmen

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next fall will be two promising "non-traditional" students, a Mr. Leopold and a Mr. Loeb.

Notes & Asides

■ Dear Mr. Buckley:

A former girlfriend of mine made an interesting observation regarding the difference between conservatives and liberals. She astutely noticed that while most conservatives tend to display varying degrees of baldness, most liberals tend to enjoy the benefits of maintaining a full head of hair. While there are a few exceptions on both sides, if indeed a male is a conservative, it does appear likely that he is predestined to lose his hair. I myself am a conservative, and I am losing my hair! Would the solution to my hair-loss problem be to throw out my Rogaine and become a liberal?

Curious,
Dulé
Waterford, Conn.

Dear Mr. Dulé: That would not be a "solution," it would be an *approach*. Let us know how it turns out. Cordially, WFB

■ Dear Mr. Buckley:

At Christmas, I was delighted to receive as a gift your *365 Words You'd Like to Know 1995 Calendar*. I placed it on my credenza at work and read the questions and tried to guess the correct words each week. It was an excellent tool for improving my vocabulary.

However, I was dismayed when I read the quotation for January 24, 1995, that used the Lord's name in vain (see enclosure). ["He turned to Blackford. 'You and your goddam . . . continence.'"] Although I hoped to use the calendar all year to expand my vocabulary, I discarded it.

In 1987, I sent a letter to Mr. Edward Capano stating I would not renew my subscription to NATIONAL REVIEW for the same reason.

I know that it is easy to overlook such indiscretions, but I don't think we should overlook them. According to the Ten Commandments, God takes such matters quite seriously. As you know, He said, "You shall not take the name of the LORD your God in vain, for the LORD will not leave him unpunished who takes His name in vain" (Exodus 20:7).

In closing, I encourage you to make the appropriate corrections in your publications. If you do so, please let me know; I'll be glad to buy your calendar and other publications again.

Sincerely yours for your success,
Thomas W. Jacobson
Leesburg, Va.

Dear Mr. Jacobson: I think you read incorrectly the injunction not to take in vain the name of the Lord. The word "goddam" is commonly used as an intensifier ("It was *goddam* cold out there . . ."). You are not here using the Lord's name in vain, you are simply declining it in an idiomatically useful way. The most devout Latin American would not hesitate to say, "*¡Jesús, María, José, que calor hace!*" To read blasphemy into that is surely to violate another commandment of God, the one that enjoins charity? Cordially, WFB

■ Dear Mr. Buckley:

I am so sorry that you have lost a beloved friend and kindred spirit with the death of William Rickenbacker. Although we did not know him personally, we have thought of him kindly and wished him well since the November day in 1976 when my father-in-law, William R. Wink Sr., pulled him out of his plane and dragged him, unconscious, out of harm's way. He was covered with gasoline, had a bloody face, and was "damned heavy." Subsequent articles reported that "Wm" had been *thrown* clear of the wreck. My father-in-law got a DOT medal for valor for his deed shortly before he retired in 1977, but it bugged him that Mr. Rickenbacker didn't know the truth. Some time later, I wrote to Mr. Rickenbacker, in care of NATIONAL REVIEW, to tell him. Wm sent a brief but delightful note of thanks to my father-in-law and was considerate enough to send me a copy of it along with a copy of "Becalmed," the article he had written about his crash (and an invitation to subscribe to *The Berry Patch Letters*). I relate all this because I want you to know that I am sincere in my request that you extend our condolences to the Rickenbacker family. I grieve for them but am thankful that, as painful as it must have been, they had the opportunity to say goodbye.

Sincerely,
Charlotte M. Wink
Machias, Me.

Dear Mr. Buckley:

A pleasure with sadness to read your encomium for Mr. Rickenbacker, which, by the way, may each of us have such a friend when his time comes.

As we educate five children, one technique is to illustrate the meaning and usage of a new word in verse:

Our sons are disciples of Ana Coluthon.
We parent them well but she opens a booth in
Our living room which, by the way, why they couldn't
Parenthesize neatly? She says that they shouldn't
And anyway, not that her teaching's pernicious,
It's only that, why won't they finish the dishes?

Yours sincerely,
Geoffrey A. FitzGerald
Milton, Mass.

Dear Mr. FitzGerald: Thanks. He'd have loved it. Cordially, **—WFB**

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ON THE SCENE

Some Peace. Some Keepers.

ROBIN HARRIS

LONDON

IN the wake of the May 31 House of Commons debate on the hostage crisis in Bosnia, the British media and political class indulged in an orgy of self-congratulation. Supposedly, this was the Commons at its best. The highest praise was lavished on John Major's promise that he would hold Radovan Karadjic and General Ratko Mladic "personally responsible for the well-being and safe return of our troops." In truth, however, an informed observer could detect slivovic-laden gusts of laughter from the Serb leadership in Pale, since the message from Westminster is that, despite the hostage-taking, we continue to accept the Serb analysis of the situation in Bosnia and to share the Serb objectives there.

The Prime Minister's speech was a model of cynical equivocation. He declined to blame the war, or the massacres and ethnic cleansing, on the Serbs; he claimed (without basis in fact), that the Bosnians had fired into the "safe havens" and taken hostages, thus exculpating the Serbs from responsibility for their massacres and hostage-taking; he described the UN protection force as "neutral and impartial," even though Pale has now officially designated UN forces "the enemy." Opposition Leader Tony Blair also promoted Bosnian Serb objectives by calling for "demilitarization" of the UN-designated "safe areas." This would mean disarming the remaining Bosnian forces in the Serb-surrounded enclaves, with only demoralized and unreliable UN forces as their defenders. (In the "safe area" of Bihac only the Bosnian army had stopped the town from falling to the Serbs; it even had to provide the lightly armed and unprovisioned UN force of Bangladeshis with protection and food.) Furthermore, both the Prime Minister and Mr. Blair rejected the one measure the Serbs really fear—lifting the arms embargo that so weakens the victims of Serb aggression.

All the while, the Foreign Office has been talking about a deal with Serbian President Slobodan Milosevic to lift economic sanctions against Serbia in exchange for assistance with the hostage crisis and some paper recognition of Bosnia. A vigorous propaganda campaign conducted from within the Ministry of Defense has attempted to discredit the Americans and the Muslims, blaming both for the present situation.

The Serbs are well aware of the tensions among the Western Contact Group powers and have already exploited them successfully. For example, it was hardly mere chance that on the same day hostages taken from European UN forces were to be released, an American F-16 was shot down. It was a clear demonstration that compliance will be rewarded, intransigence punished. The British Foreign and Defense establishments now seem to be more anti-American than at any time since Suez. And British politicians, desperate to deflect criticism of their own failure, are willing to blame America for what has gone wrong.

The truth, of course, is very different. United Nations forces have been potential hostages since they were deployed in Bosnia in 1992. But in many ways, the presence in Bosnia of exposed British and French troops allowed the two governments to shame the Clinton Administration into supporting their policy. In particular, it allowed them effectively to veto lifting the arms embargo against the Bosnians, which Britain and France could claim would put their soldiers at risk of Serb reprisals. The irony is that the arms embargo is still being applied *and* our troops have now been taken hostage.

Justified outrage at the Serbian behavior does not, therefore, exonerate the British and French governments—or the UN and NATO. A thorough review of what has happened should be conducted for the sake of future UN interventions—if anyone now dares suggest them. But France and Britain will need to conduct their own reviews. The new French administration should be able to examine critically how the present situation arose—and allocate blame for it. In Britain, almost the whole political establishment supported the policies that have led to the present fiasco; so criticism remains muted. But there is a strong case for an impartial inquiry to allocate responsibility for the policy errors.

However, in the shorter term it is also important to understand why the Serbs took so long to exploit the hostage-taking potential. The UN's presence has hitherto served the Serbs' purposes well. UN soldiers have provided cover for Serb ethnic cleansing of territory mapped out for inclusion in Greater Serbia; the Blue Berets have even relieved the Serbs of the cost of transporting and feeding their victims. Successive peace plans have effectively recognized the Serbs' territorial gains, even as the Serbs have been taking a sizable share of the humanitarian aid, the flow of which they control.

The change in the way the Serbs viewed the UN Protection Force (UNPROFOR), which led to the hostage-taking, was predictable—though UN authorities seem not to have predicted it. The rebel Serbs have nearly achieved their objective of an independent and ethnically pure West Serbian state. They do not need the UN's good offices any more to obtain it. By contrast, they are worried about the growing power of the Muslim–Croat alliance, which is winning back land and stretching Serb resources. The Serbs now seem to want the UN to pull out in the hope that the confusion of its departure will allow some or all of the non-Serb enclaves to be taken before Bosnian government forces can bring relief. The unanswered question is whether the British and French will oblige.

In spite of the heavy reinforcements

Mr. Harris was a member of Margaret Thatcher's Downing Street Policy Unit.

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now being sent to Bosnia, the evidence suggests that the answer is "yes." The French Government is trying to buy time by calling for a new mandate for the forces in Bosnia. But that is irrelevant, since existing UN Security Council Resolutions give all the authority required for determined action. UNSCR 770 allows states, acting individually or together, to use "all necessary means" to get humanitarian aid through. UNSCR 836 extended the mandate of UNPROFOR to "deter attacks against safe areas" and to use force "in reply to bombardments against the safe areas by any of the parties or to armed incursions into them . . ." In any case, no UN mandate affects the right of self-defense, which commanders on the ground must implement as they see fit.

However, to make a difference, military responses must be stronger so as to elicit a different attitude from the Serb leadership. Such action must not be accompanied by assurances of its limited, temporary nature. The secret of deterrence is the willingness and ability to escalate.

Furthermore, the increasingly desperate UN attempt at even-handedness between the "warring parties" must change. British Defense Secretary Malcolm Rifkind may protest that forces in Bosnia are not fighting a war. But war is certainly what the Serbs have in mind; and in such a war, UN forces will need effective allies on the ground. The Bosnian army itself can help the UN forces regroup—or even withdraw. But in return, UN spokesmen must stop pretending that there is no identifiable aggressor. While this policy shift does not require a formal change of mandate, it probably does require a change in personnel, including the removal of the UN's senior envoy to the region, Yasushi Akashi, and other prominent UN officials whose efforts to appease the Serbs by twisting reality have corrupted the operation's credibility from the start.

But the most important change required is still the immediate lifting of the arms embargo. Lifting the embargo would allow the Bosnians to match the Serbs in heavy weapons, to consolidate their hold on territory which they retake, and eventually to relieve the isolated outposts of non-Serb population which are at the root of today's logistical problems.

In the meantime, some well-armed UN forces should remain to prevent massacres in those areas. This certainly entails risks, but the hostage-taking episode shows that there are no safe options. Furthermore, British and French forces themselves appear willing to face such risks, as long as their objectives are clear and their room for maneuver not unduly restricted. On the other hand, British and French politicians—and public opinion—are probably unprepared for casualties, in which case the sooner the two countries withdraw their forces, the better. They can leave the task to such as the Turks, whose leaders still have the stomach for a fight, and to U.S. air power. The sight of such an ignominious withdrawal would certainly damage Britain's and France's reputations—raising further questions about their seats on the UN Security Council. But for Britain and France there now remains only one real choice: to get serious about enforcing the mandate or to get out. □

Bosnian Quagmire

PETER W. RODMAN

Roman Genn

WASHINGTON, D.C.

AT a luncheon during a meeting of NATO foreign ministers in the Netherlands on May 30, one allied minister declared with resignation that "some problems cannot be solved, but have to be endured." CIA Director John Deutch echoed the sentiment a few days later in remarks at his Amherst College reunion, sighing that the international community had no good alternative but to "continue to muddle through."

The latest Bosnian "crisis" is ending like so many other recent Bosnian "crises"—with the further humiliation of the Western powers and their collective decision to continue the self-defeating policy that perpetuates their humiliation.

Mr. Rodman, an NR *Senior Editor, is director of national security programs at the Nixon Center for Peace and Freedom.*

This "crisis" began with a flurry of NATO tactical air strikes in late May, which had no discernible effect on the Serbs' grip on Bosnian territory but led them to the masterstroke of seizing 370 UN "peacekeepers," along with their equipment, including armored vehicles. The Serbs demanded, as ransom, an end to the air strikes. The Western powers vowed never to surrender to blackmail, but quietly suspended the strikes. On June 2, the ignominy was compounded when the Serbs shot down an American F-16 patrolling over northern Bosnia.

The hostage-taking led to cries of alarm in London and Paris about the vulnerability of the 22,000-strong (or weak) UNPROFOR. There was talk of pulling them out, or "reconfiguring" them to vacate the most vulnerable positions.

The episode also led to panic in the Clinton Administration. Defense Secretary William Perry and Chairman of the Joint Chiefs John Shalikashvili were the most sensitive to the allies' military travails; contrary to the Pentagon's usual gun-shy reputation, they urged the President to reiterate a long-standing promise of U.S. support for an emergency evacuation or redeployment. Secretary of State Warren Christopher warned the President that Congress and the public would react badly to sending U.S. troops. But as Christopher and his aides flew off to the NATO meeting in Europe, and as the Administration's deliberations were leaked to the press, the President bowed to the pressure of the moment: aboard Air Force One en route to a commencement address at the Air

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Force Academy in Colorado, the President and his national security advisor, Anthony Lake, worked out a last-minute insert to the speech, pledging to send U.S. troops if needed. "We have obligations to our NATO allies," the President declared, "and I do not believe we can leave them in the lurch." No actual request had come in from the allies for such help (nor has one arrived at this writing).

But the President's seeming escalation of the U.S. commitment in Bosnia triggered an outcry in Congress, as Christopher had warned. The general Republican sentiment was that sending ground troops would be a tolerable risk if it was only for the purpose of extricating the UN forces from Bosnia once and for all; it was not acceptable if it was only for the purpose of assisting a "reconfiguration." Senate Majority Leader Robert Dole set out four conditions: unified NATO (not UN) command; "robust" rules of engagement to enable the U.S. forces to defend themselves; no risking of American lives to rescue UN equipment (as opposed to personnel); and allied agreement to lift the arms embargo and enable the Bosnians and Croatians similarly to defend themselves. Hearings were scheduled in both the Senate and the House.

The European involvement in the Yugoslav morass wins some kind of booby prize for consistent wrong-headedness. The British and French sent their forces there in the fall of 1991 partly to lord it over the Germans; in the wake of German unification, they relished the chance in Yugoslavia (as in Desert Storm) to show that they could act as major military powers while Germany could not. They also went there to lord it over the Americans: when the Balkan war had erupted in mid 1991, the European Community had launched an eager mediation effort in large part to demonstrate that in the post–Cold War era Europe could manage its affairs without American help, thank you very much. "This is the hour of Europe," proclaimed Jacques Poos, Luxembourg's foreign minister. "We do not interfere in American affairs," sniffed Jacques Delors, president of the EC Commission. "We hope they will have enough respect not to interfere in ours." By the end of 1991—14 EC-sponsored ceasefires later—the EC policy was in shambles and the British and French "peacekeepers" were begging NATO for American AWACS support.

The British and French forces first showed up in Croatia in the fall of 1991—to protect the *Serbs*, of all things. Then they went into Sarajevo in Bosnia to protect humanitarian relief efforts. But there was never any military strategy or political purpose other than humanitarian. Impartiality was the watchword; countering the Serb aggression that was the heart of the problem was never part of the program. And to avoid "compromise" of this precious neutrality, the British and French have, ever since, continually vetoed any U.S. or NATO military move that might conceivably have had a decisive impact on the balance of forces on the ground. Thus the "peacekeepers" have been a palliative, saving some lives in the short term but at the cost of perpetuating the conflict (and shielding the Serb aggressors).

America's (at least rhetorical) obsession with Serb aggression so alarmed the British and French, in fact, that they actively sought Russian diplomatic involvement to counter the Americans. A British Foreign Office memorandum, leaked in 1993, found it "reassuring to know that when the crunch came, the Russian veto would be forthcoming." French Defense Minister Francois Léotard visited Moscow in February 1994 and asked Russian help (according to *Le Monde*) in countering America's "pro-Bosnian" tendencies. As the June 1995 episode unfolded, Britain's UN ambassador, David Hannay, reminded the media that fighting the Serbs was never UNPROFOR's mission.

The British and French have now reinforced their Bosnian troop presence. For extrication was never really an option. Too humiliating, said John Major. Instead, a "rapid reaction force" will be created and some redeployments considered. What the U.S. role in these redeployments will be—given the congressional resistance and the Administration's backtracking—is not yet clear. Diplomacy, meanwhile, focuses on persuading Serbian President Slobodan Milosevic to distance himself from the Bosnian Serbs. But he already promised to cut off the Bosnian Serbs a long time ago, and has been caught cheating on the promise.

Thus, the quagmire deepens. No Western power is willing to do anything decisive. But all the Western powers want to do *something*. No country wants to do anything significantly more than it's doing; nor does any want to do less than it's doing. So, all the Western powers are perversely most comfortable with a policy that guarantees continuation of the horror. It is a folly worthy of a Barbara Tuchman to record it. Or a Joseph Heller. □

Saving Gramm's Campaign

RICHARD BROOKHISER

NEW YORK

PHIL Gramm's film career bloomed and faded in Texas, and its dried petals were exhibited by *The New Republic* in Washington, D.C., but the story found its home in Gotham. A PORN-AGAIN PREZ HOPEFUL, shouted the *Daily News*. PORNO-GRAMM, squawked the *Post*. All that was missing was TOPLESS BODIES FILMED BY BRAINLESS GRAMM.

The hinterlands made less of the tale. "Not many people down here are interested in what *The New Republic* has to say about Phil Gramm," said Bill Murchison of the *Dallas Morning News*. Representative J. D. Hayworth (R., Ariz.), a strong Gramm supporter in the class of '94, compared the impact of the flap in his district to a "whoopee cushion—it made a lot of noise, but the wind went out of it quickly." In a few days, even the national-media pinball machine was flipping other news-bits.

The Gramm story shows yet again that while dirt is fun, presidential elections are serious affairs. The weaknesses of the Gramm campaign are structural and intellectual. There is a limit to what he can do to remedy them, but he can do quite a lot.

Phil Gramm came into 1995 trailing clouds of glory from last year's health-care wars. He raised more money in one night in Dallas than most candidates see in a lifetime. He wins straw polls with dull regularity. But the

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mountainous effort has so far produced mousey results in the polls. In a Zogby–*New York Post* poll in late April, Gramm trailed Bob Dole by 47 points, and Pat Buchanan by 7.

Gramm's slow start is the result of difficulties with three Republican grouplets. The smallest, and peskiest, is the guardians of New Hampshire's divine right to the first primary. Gramm encouraged efforts by Arizona and Louisiana to jump to the head of the queue, and he attended a May convention in Delaware despite stern warnings from New Hampshire Republicans that it was anathema. So, although Gramm can show a New Hampshire senator in his corner (Bob Smith), the *Manchester Union Leader* has sniped at him, and Stephen Merrill, the conservative governor, sits on the fence.

Gramm's night at the movies came in the midst of a push to shore up his standing with social conservatives and the religious Right. Abortion was a symbol of his difficulties. Gramm has a pro-life voting record, but he was reluctant to stress the issue in his campaign. "Short of a moral reawakening in the land, we are not going to have anything like unanimity" on the issue, he had told the *Washington Times* in 1993. "I'm pro-life. I can't reach another conclusion in my heart," he told *Human Events* early this March, but added that under Reagan the GOP "attracted people who had many different views on issues like abortion." When Gary Bauer of the Family Research Council complained that the "in my heart" talk reminded him of the evasions of Mario Cuomo, Gramm met with him and James Dobson of Focus on the Family. The meeting was frosty. "At first there was a little filibuster" from Gramm, Bauer recalls. "Then things went downhill." "I'm not a preacher," Gramm told Dobson. "That's your job."

Early in May, Gramm went to Jerry Falwell's Liberty University to give the commencement address and mend fences. He said that America was in the midst of an economic and a moral crisis, both having "their roots in the explosion of a government" that "squanders the fruits of our labor" and "corrupt[s] our values." The blue-movie episode that followed soon after was what they call "off message," but Bauer believes that it caused as little a stir as it did among social conservatives because Gramm had already been out there, trying to address them.

Gramm's third problem is with a tendency rather than an organized lobby: the supply-side faith left over from the Eighties. "If we want to let people keep more of what they earn, we've got to not spend it," Gramm says. With a Republican Congress, that is now a possibility for the first time in decades. Would a Republican President keep hammering the anti-tax, pro-growth message? Fear that neither Gramm nor any of his current opponents would briefly encouraged supply-side publisher Malcolm Forbes Jr. to flirt with running himself—the most quixotic venture in a year that has produced Arlen Specter and Alan Keyes. Forbes stayed on the sidelines, but supply-side doubts about the GOP field, including Gramm, linger.

Roman Genn

Gramm's strength is also his problem: he has a philosophy. "He has been rock-solidly consistent," says Jim Miller, former Reagan budget director, who went to college with Gramm at the University of Georgia and taught economics with him at Texas A&M. "When he first got into politics and started calling up chambers of commerce, he gave a speech he called his 'government is the enemy' speech." He's been giving it ever since he arrived in Washington as a congressman in 1979. You disarm the enemy by cutting programs and cutting funding. Along the way, Gramm has made his share of compromises for Texas pork—the mohair program, the supercollider—and in Bush-era debacles such as the 1990 budget deal and the 1991 Civil Rights Act. But this is where his music comes from. He is not going to change it because some Beltway operatives ask him to. He is not going to change it because someone shows him a better way. No one will, because Gramm's way is right. Gramm's knobbly personal qualities—abrasiveness, lecturing would-be advisors—are not "merely" personal. They grow out of his convictions and the pride with which, as a self-made academic, he holds them.

Social conservatives are looking for a soulmate. "Something's wrong with the core of the country," says Bauer, "and it's not just the size of government. The size of government didn't make Mrs. Smith put her kids in the lake. There is a coarseness, a depravity, a decay." Bauer's people want a leader who connects with "what they see in the headlines." Gramm won't be that leader. But he can show that he and they have the same enemy in the explosion of government. Professor Gramm may think the connection is obvious, but nothing is too obvious to be said one thousand times, especially in a presidential campaign.

Some staffers attuned to these things might help. Gramm has been dealing with the Bauers and the Dobsons himself in part because he doesn't seem to have anyone around him who knows them. (Compare Bob Dole, whose deputy political director is Judy Haynes, former deputy executive director of the Christian Coalition.) New staff would offset some of the staff Gramm already has. Linda Dival, his pro-choice pollster, will be reading the numbers through a socially liberal prism. She will also rub the religious Right the wrong way every time she shows up on the box to spin for her man. Gramm needs help fending off Buchanan. The Gramm campaign would prefer to ignore him, focusing on a battle of the titans with Dole. But Gramm has temporarily lost titan status: his enemy of the moment is the man who edged him in the Zogby poll. The shots are there to be taken—on the Gulf War, on trade—but Gramm must understand that he needs to take them. In the meantime, the Liberty speech was a step in the right direction.

Opposing Dr. Henry Foster for surgeon general will be another, if Gramm criticizes Foster on philosophical grounds, namely that Foster is a bad nominee because of his record as a sex

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educator and a supporter and provider of abortions, not because he told fibs about that record.

The supply-siders will have to grin and bear it. Phil Gramm is not Ronald Reagan. Gramm will not promise morning in America. He wants high noon in Washington. □

No Less than Genocide

ANTHONY DANIELS

KHASAVYURT

WHILE Bill Clinton was disporting himself with Boris Yeltsin in Moscow, General Balkhovitin, Deputy Commander of the Frontier Troops in the Caucasus Military District, was preventing the distribution of medical supplies to the 100,000 or so Chechens who have taken refuge in the town of Khasavyurt in neighboring Daghestan. He gave instructions that a large consignment of medicines from Jordan should be impounded at the Azerbaijani border with Daghestan, at the same time ordering the arrest of those who tried to collect the medicines.

The need of the refugees for medical supplies is obvious enough. The Daghestani authorities, under pressure from the Russians, have provided little help for them. The local hospitals will not treat them. They have been housed *ad hoc* in school buildings, abandoned factories, and homes belonging to Chechens who live in Khasavyurt. Most of the refugees arrived in Daghestan with only the clothes they stood up in.

The overcrowding is startling. There are 160 refugees living in half of Khasavyurt School No. 11. On the school walls hang murals of Soviet soldiers doing the goosestep. Twenty people from the village of Binoi are crowded into a room barely 12 feet by 10. When I told them that I represented a human-rights organization, they laughed bitterly. The violation of a few abstract principles did not adequately describe what they had suffered.

An old lady turned her face to the wall. She was refusing to eat, hoping to die. She had lived through the deportation of the entire Chechen population by Stalin in 1943, and the Russians had destroyed her home again: and now they were even holding a parade in Grozny to celebrate their victory over fascism. Who would wish to continue to live in such a world?

Everyone compared the Russians to the Nazis. They were perpetually drunk; they looted everything they could, and destroyed with gunfire things they could have easily carried lest their officers order them to do so.

Wherever we went in Khasavyurt, people spoke passionately about the terror unleashed by the Russian army, about its brutality and bestiality. Even allowing for the traditional enmity of the Chechens toward the Russians, whose domination they have been resisting for three centuries, the eyewitness stories were so consistent in tone that it was impossible to disbelieve in their fundamental truthfulness.

Cattle were slaughtered; no one had so much as a chicken left. Doors were booby-trapped. A woman protested when three soldiers dragged her daughter off, and her legs were strafed by machine-gun fire. Refugees fleeing from the Russian army were likewise strafed and bombed, and one man had seen two refugee vehicles destroyed by fire from a jet fighter.

At Samashki, one woman had seen the men of the place led away; stragglers were run down and squashed by tanks. The houses were looted and burned. The soldiers mocked those whom they did not shoot.

Helicopters hovering over the villages had broadcast demands for the surrender of all guerillas. The bombardment of the villages had begun soon afterward, and many children had been buried in the rubble. One nursing mother had lost a child, crushed by a falling roof; her breast milk had dried up afterward, and her baby had died for lack of any substitute. She cried as she narrated this, in a room in which there was a picture of the infant Lenin on the wall. No one has yet thought to remove the icons of Lenin in the Russian periphery.

In that same room, all the children were malnourished and severely infected with scabies. They were not permitted to mix with the local children—there was no medicine to cure it.

On and on went the stories, of extortion and cruelty, of killing and looting. The Russians would not allow the Chechens to bury their dead without payment of a large fee; often they came to houses and threatened to kill the inhabitants unless a payment (preferably in dollars) was forthcoming. It was a threat they carried out often.

The Russians had hoped that the refugees would return to Chechnya for Victory Day, so that they might persuade a gullible world that everything had returned to normal, and that the "police action" in the North Caucasus was over. Some refugees had attempted to go home, but they had turned around again immediately because of the complete destruction of their property and the continuation of the war. For once, the word *genocide* seemed scarcely an expression of generalized paranoia.

Of course, the refugees had many theories to explain the catastrophe which had overwhelmed them. The war was about oil, or oil pipelines; or it was the means by which the Russians found accommodation for their troops returning from Germany, with the conscripts who had previously occupied the barracks being sent to the war and the vacated barracks then accommodating the troops from Germany.

And of course the Russians could not allow themselves to be defeated militarily by a tiny nation (a compromise being counted as a defeat), for military might has long been the guarantee of Russian greatness. Without the sheer brute power to overwhelm its neighbors, Russia would be of little account in the world: its foreign trade is less than Belgium's, its political traditions are uniformly disastrous, and its material civilization is repellent.

Yet it also has a belief in its *mission civilisatrice*. For many years, the historical fiction was taught that the Caucasus was incorporated into Russia peacefully, at the wish of the local people. But the old hatreds subsist, and I was told by one nationalist that a Caucasian kills a Russian as a ratcatcher kills a rat—itself an attitude to make one tremble.

Meanwhile, the Chechen refugees uniformly expressed their contempt for President Clinton. In their eyes, his appearance in Moscow was craven and

Dr. Daniels, the author of Utopias Elsewhere, *went to the Caucasus as a member of the British Helsinki Human Rights Group.*

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cowardly. It was the moral equivalent of paying the Dane-geld. And *"if once you have paid him the Dane-geld / You never get rid of the Dane."* □

Capitol or Bust

MATTHEW SCULLY

Jeff Fisher

WASHINGTON, D.C.

AFTER all the fuss about whether to install a bust of Spiro Agnew at the Capitol, I am pleased to report complete success. NATIONAL REVIEW took up Agnew's cause four years ago after learning that he, alone among Vice Presidents, had been excluded from the Capitol's pantheon, apparently the old Senate leadership's idea of a moral point. Under the new leadership it has all been resolved satisfactorily: not only is there a bust, the thing stares right out at the main entrance to the Senate chamber (a reminder to Democrats of which party's in charge, and to Republicans of which magazine not to cross).

At the ceremony, old friends and staffers talked of "redemption." After 22 years, here was Agnew, back from the shadows. If that's a bit melodramatic, let's just say there was a feeling of reconciliation about the day.

Majority Leader Bob Dole came to pay tribute, showing admirable indifference to how it might play in the media, as did seven or eight other senators including Daniel Patrick Moynihan, Mark Hatfield, Ted Stevens, and Fred Thompson. Also present were Pat Buchanan, Agnew's old speechwriter, and Ed and Tricia Nixon Cox. Dozens of old friends going back to Agnew's childhood were there, proud to see him have his day. A model of dignity, Agnew entered with Judy, his wife of 53 years. An honor guard marched in even as the Senate was in session—affording me a priceless glimpse of Joe Biden craning his neck across the aisle with a "What's-all-the-commotion-out there?!" look on his face. At a reception afterward, *NR*'s Bill Rusher offered some eloquent remarks, and people crowded around the honoree as in the days of "Spiro Our Hero" buttons and Agnew wristwatches.

The tributes were spare enough, and thankfully free of moral hamming. "In a tempestuous time he was a strong partisan voice," said Moynihan; he touched "the pulse of Middle America" as no other politician had. With a nice little twist for the Clinton people to ponder before criticizing his attendance, Dole added: "During a time when many believed that patriotism and military service were something to ridicule, Ted Agnew—a Bronze Star World War II veteran and the son of a Greek immigrant—minced no words and left no doubt where he stood."

In the weeks before the unveiling, the local pharisees in their columns reminded us, just in case anyone had forgotten, of the circumstances of Agnew's resignation. "Why," asked one, "honor this venal man who brought such disgrace to his office?" If a bust is installed, suggested Richard Cohen of the *Washington Post* a little too cutely, "the marbleized Agnew should be shown with his palm out." Mary McGrory—captured forever by James Jackson Kilpatrick's description as "the Madame Defarge" of the Nixon years—recalled Agnew as "a divisive force at a bitter time until he was led away by that paragon of public service, Elliot Richardson."

Since first meeting Agnew over the bust business a few years ago, I've come to like and admire him, so perhaps I'm not the best person to sort out what everyone at the ceremony politely called the "controversial" aspects of his tenure. Of one thing I am quite certain, however: Even if one were to assume the very worst about Agnew, still I'd rather stand with him than be in any way associated with these liberal louts, or for that matter with their "paragons of public service." The idea seems to be that although Agnew lost the Vice Presidency in disgrace, got disbarred, lost his pension, has lived effectively in exile for 22 years, had his governor's portrait taken down and stored in a broom closet at the Maryland statehouse, that's not enough; let's stomp on him some more.

"VENALITY," in my book, is preferable to viciousness. One doubts that these same folks could muster as much hatred for Pol Pot. And probably the hatred arises more from Agnew's virtues than his faults. For conservatives, in any case, there's the matter of loyalty to consider. Not blind loyalty, just the decent regard for fallen comrades exemplified by Dole and Buchanan—both of whom, if they were lesser men, might easily have sent old Ted a nice note and pleaded prior commitments.

For his part, Agnew offered a restrained, almost apologetic thank-you in his remarks. "I am not blind or deaf to the fact that there are critics who feel this is a ceremony that should not take place. I would remind these people that regardless of their personal view of me, this ceremony has less to do with Spiro Agnew than with the office conferred upon me." Both statute and tradition dictate that all Vice Presidents be accorded a bust; none should be excluded "to suit the dogmas or passions of the moment."

I would have advised a more aggressive speech—but I'd have been wrong. It was just the right tone—letting old things go, modest, dignified, grateful. It wasn't Spiro Agnew the rhetorical warrior we recall. But it did sound like the man described to me by an ex-staffer, one of many to show up. "Doesn't deserve the honor?" he said. "Listen, let me tell you about Spiro Agnew. After all that happened to him that week, he got on the phone personally and called around to find jobs for each of us. If there's another person in this town who would do that—think of other people on the worst day of his own life—I haven't met him." □

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Lawmaking by ACLU

DOES CONSTITUTIONAL LAW EXIST?

It is widely remarked that modern constitutional law is dragging public policy to the left. Less often noticed is that it has nothing to do with the Constitution.

LINO A. GRAGLIA

SINCE *Brown* v. *Board of Education* in 1954, the Supreme Court has been the most important determinant of social policy in the American Government—far more important than our elected officials. Over the past forty years the Court has decided public policy on issues of life and death, as in its abortion and capital-punishment decisions; issues of sexual morality, as in its pornography and contraception decisions; and issues of public order, as in its decisions on vagrancy control and street demonstrations.

The Court has disallowed almost all distinctions on the basis of sex, alienage, or illegitimacy. It has created and imposed on the states a system of criminal procedure so costly and complex that attempts to enforce the criminal law seem hardly worthwhile. It has prohibited the states from providing for prayer or Bible reading in public schools, and has prohibited most forms of state aid to religious schools. It has ordered the reapportioning of our legislatures, state and federal. In perhaps the most remarkable demonstration of its irresistible power, it has ordered that children be excluded from their neighborhood schools because of their race and transported to distant schools in an attempt to increase racial integration. It has permitted district judges to order the raising of taxes to obtain funds (over $1 billion in Kansas City) to comply with those judges' orders.

The Justices have successfully remade America in their own image—which is to say in the image of academic liberals—through a series of decisions that amount to a sustained assault on traditional American values. It is a matter of some importance to anyone concerned with those values, therefore, that the nature and source of constitutional law be clearly understood.

The first and most important thing to understand about constitutional law is that it has virtually nothing to do with the Constitution. Though that may seem a shocking statement, or at least an exaggeration, I assure you that it is literally true, as can easily be shown. The Constitution is a very short and apparently simple document. It is not at all like the Bible, the Talmud, or even the Tax Code—complex and massive tomes in which many things can be found. Many people think the Constitution must be some kind of encyclopedia, which is not surprising considering what Supreme Court Justices claim to have found in it. It is sometimes depicted in political cartoons as a fat book, but it is in fact hardly a small pamphlet, easily printed—with all amendments, repealers, and obsolete matter—on 14 or 15 pages. Further, short as the Constitution is, very little of it is even purportedly involved in the making of constitutional law. The vast majority of constitutional cases involve state law, not federal law, and nearly all of these cases purport to be based on a constitutional provision, the Fourteenth Amendment, and indeed on four words: "due process" and "equal protection."

Government by Judges

THE Fourteenth Amendment was adopted for a very specific and limited purpose: to grant certain basic civil rights to blacks. The Justices, however, have treated it as an empty vessel into which they could pour any meaning, and thereby convert a system of government by the people primarily on a local basis into a system of government by judges from Washington, D.C. The continuing national debate on how the Court should interpret the Constitution is based on false assumptions; no issue of interpretation is in fact involved in any of the Court's controversial decisions.

It does not require a high degree of jurisprudential sophistication to understand that Supreme Court Justices

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do not make their decisions on a vast array of issues by studying the words "due process" and "equal protection." In 1973 in *Roe* v. *Wade*, for example, the Court held in effect that the due-process clause of the Fourteenth Amendment created a constitutional right to abortion on demand. The Fourteenth Amendment was 105 years old at the time, and all fifty states had laws restricting abortion. Isn't it funny that in all that time no one had noticed that the Fourteenth Amendment created a right to abortion until Harry Blackmun came along?

Consider also that there was a time when the Constitution permitted the assignment of children to schools on the basis of race—the Court told us so in *Plessy* v. *Ferguson* in 1896. There was then a time when the Constitution prohibited the assignment of children to schools on the basis of race—the Court told us so in *Brown* v. *Board of Education* in 1954. Now the Constitution requires the assignment of children to schools on the basis of race—the Court told us so in *Swann* v. *Charlotte-Mecklenburg* (1971) and its other busing decisions. All the possibilities—permitted, prohibited, required—are covered, yet in all that time the Constitu-

Case Studies

TWO recent dramatic rulings by the Supreme Court, in *United States* v. *Lopez* and *U.S. Term Limits* v. *Thornton*, appear to illustrate neatly the role of ideology in constitutional "interpretation." In *Lopez* the Court, for the first time since it stopped fighting the New Deal in 1937, held a federal law—in this case, one prohibiting the possession of firearms on or near school grounds—invalid as beyond the scope of the enumerated powers of Congress, specifically the power "to regulate commerce among the States." In *Thornton* the Court held that the Constitution prohibits the states from imposing terms limits on their elected representatives in Congress.

Illustrating again how amazingly difficult the Constitution is to read, even for trained lawyers, each decision was by a 5 to 4 vote, with only Justice Kennedy in the majority in both cases. The most liberal Justices —Stevens, Souter, Ginsburg, and Breyer—could find no constitutional limit on federal authority, which the Constitution was clearly meant to limit, but had no difficulty in disallowing a state policy choice as unconstitutional despite the absence of a constitutional prohibition. Chief Justice Rehnquist and Justices O'Connor, Scalia, and Thomas reached the opposite conclusions.

The result may appear to be a tie, one victory and one defeat for each side, with conservatives perhaps a little more hopeful that judicial review need not be *exclusively* a means of moving policy choices to the left. Unfortunately, the appearance is deceptive. In *Thornton*, the liberals won another big one, the total and definitive prohibition of term limits and removal of the issue from the ordinary political process, relegating proponents of term limits, like the losers in *Roe* v. *Wade*, to a futile quest for a constitutional amendment or a change of heart by the Court. In *Lopez*, by contrast, conservatives won almost nothing of significance: it is no longer a federal (but usually still a state) crime to possess a firearm near a school, but such possession can easily and probably soon will be made a federal crime again. More important, it is most unlikely that the decision will have any significant precedential value.

Though *Lopez* will prove to be a source only of misplaced hope, conservatives should be encouraged by the magnificent dissent written by Justice Thomas in *Thornton* and joined without qualification by Rehnquist, O'Connor, and Scalia. In a long, dispassionate, lucid, and thoroughly persuasive opinion Thomas demolished step by step the arguments in Stevens's majority opinion supporting the Court's ruling of unconstitutionality. Thomas set forth with stunning clarity and bluntness the only legitimate basis for judicial review and the proper function of the Court in constitutional cases. He asserted the seemingly tautological but nonetheless heretical proposition that the Court is authorized to invalidate as unconstitutional the policy choices of other government officials only when they are in fact prohibited by the Constitution. "Nothing in the Constitution," he stated, "deprives the people of each State of the power to prescribe eligibility requirements for the candidates who seek to represent them in Congress. The Constitution is simply silent on this question. And where the Constitution is silent, it raises no bar to action by the States or the people." In the context of the last four decades, this is nothing less than a call to revolution: for the Court not to invalidate policy choices on which the Constitution is silent would be for the Court hardly to invalidate any policy choices at all and to permit policy-making on basic social issues to revert to the control of the American people.

The contrast between Thomas's approach and the majority's approach could hardly be clearer. Stevens's opinion began by noting that the Constitution provides that "No person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen." A similar provision applies to senators, except that the minimum age is thirty and the minimum duration of citizenship is nine years. These provisions establish minimum qualifications, but they are silent as to additional qualifications. "At least on their face," Thomas pointed out, they "do nothing to prohibit the people of a State from establishing additional eligibility requirements for their own representatives." As this was undeniable, the majority, in order to reach its desired outcome, was forced to supplement the provisions with a supposed "fundamental principle of our representative democracy . . . that the people should choose whom they please to govern them" and the "Framers' vision of a uniform National Legislature representing the people of the United States." The move from constitutional text to alleged principles or visions in order to

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tion did not change in any relevant respect. Only the identity of the judges making the decisions had changed. Scientific observation clearly suggests that the Constitution is not the operative variable.

To take another example, the First Amendment says that "Congress shall make no law respecting the establishment of religion or prohibiting the free exercise thereof," the purpose of which statement was to guarantee that matters of religion would be left exclusively to the states. If the Court's abortion decisions have rightly been criticized as having no basis in the Constitution, the Court's decisions on prayer in public schools, on state aid to religious schools, and on religious symbols in public places are even worse: they are directly contrary to and in violation of the very constitutional provision on which they purport to be based. A provision meant to preclude federal control of the states in religious matters is made the basis for such control.

As a final example, the fact that the Constitution explicitly contemplates capital punishment in three places did not prevent Justices William Brennan, Thurgood Marshall, and Harry Blackmun from insisting that capi-

support a ruling of unconstitutionality is the essential move toward unrestrained judicial discretion.

It is arguable, Thomas showed, that the supposed fundamental principle and vision relied on by the Court—even if attributable to the Constitution—are better served by permitting than by forbidding term limits. More important, his thorough historical review showed instances of states imposing additional eligibility requirements on their national representatives from the beginning, and showed that their alleged unconstitutionality was at best debatable. Thomas concluded as he had begun, by stating, "The prohibition that today's majority enforces is found nowhere in the text of the Qualifications Clauses. In the absence of evidence that the Clauses nonetheless were generally understood at the time of the framing to imply such a prohibition, we may not use the Clauses to invalidate the decisions of a State or its people." This is the only conclusion consistent with the maintenance of the political system based on self-government, federalism, and separation of powers that the Constitution established. Its acceptance by one additional Justice (assuming, perhaps unrealistically, no defections) would make it the position of the Court and bring to an end four decades of government by the judiciary in the pursuit of doctrinaire liberalism.

ON THE other hand, *Lopez* points in a different direction in terms of judicial restraint. Chief Justice Rehnquist's majority opinion correctly points out that the notion that Congress is regulating interstate commerce by prohibiting the possession of firearms near a school is a fiction and fraud. It is embarrassing to see Justice Breyer publically asserting the contrary in his lengthy dissent. The difficulty is that the great bulk of the Court's Commerce Clause jurisprudence is equally fraudulent. This has been the case since the Court's holding in the 1903 Lottery Case that Congress can in effect exercise a general "police power" simply by casting its legislation in the form of a prohibition of interstate transportation. Thus, prostitution (the Mann Act) and even noncommercial fornication could be made federal crimes provided the couple could be shown to have recently crossed a state line. In order to prosecute the Chicago 7 for inciting a riot at the 1968 Democratic Convention, the government had to show not merely that they incited the riot, but that they had intended to do so when they entered Illinois. In the 1964 Civil Rights Act, Congress made it a crime for an Armenian restaurant owner, for example, to refuse service to a Turk, based on a "finding" that "national origin" discrimination by restaurants substantially affects interstate commerce.

However, the American people repeatedly endorsed the New Deal at the polls, as they also endorsed the Pure Food and Drug Act, the Mann Act, and federal anti-kidnapping laws, and may now endorse proposed anti-terrorism laws. It seems that federalism is supported as an ideal or generality, but not as a serious impediment to any desired federal action. The Court cannot and should not attempt to change this. If the American people do not want a particular type of anti-firearms legislation, they should have their elected representatives decline to enact it, or repeal it. Likewise, regulating interstate commerce requires a policy judgment, and such judgments are probably better left to elected representatives than to judges. It advances neither conservatism nor good government for conservatives to join liberals in seeking to obtain from judges what they cannot obtain in the ordinary political process. To do so is to legitimize judicial policy-making—and it is difficult to imagine persons less suited for the position of unreviewable policy-maker than the likes of William Brennan, Harry Blackmun, John Paul Stevens, or David Souter.

Chief Justice Marshall suggested nearly at the beginning that the scope of the powers of Congress does not present a justiciable question. It would be an enormous service, at least to the cause of honesty, if that view were openly adopted. It might improve the morals of lawyers if first-year law students no longer had to be told that federalism is mainly a matter of underhanded tricks that they must learn to perform. Non-reviewability would also make clear that federal infringement of state autonomy is solely the responsibility of Congress, and deny Congress the imprimatur of judicial approval.

Lopez is for conservatives a brilliant pyrotechnic, thrilling to behold but gone with one burst. Much worse, it is a distraction, a wasteful expenditure of energy that might have gone toward abolishing the exclusionary rule, or terminating court-ordered busing for coerced school racial integration.

—LINO A. GRAGLIA

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tal punishment is constitutionally prohibited. Once again, they took a position not merely without basis in, but in defiance of, the Constitution.

Nothing Random About It

THE second thing to know about constitutional law is that the Court's controversial decisions over the last four decades have not been random in their political impact. On the contrary, their effect has been to enact the policy preferences of a small minority on the far left of the American political spectrum. The Court invalidates policy choices made through the ordinary political process in order to substitute policy choices further to the left. To sum up the situation briefly, the ACLU cannot lose in the Supreme Court, even though it does not always win. Either it obtains from the Court a policy decision it can obtain in no other way, because the decision is opposed by a majority of the American people—for example, a prohibition of prayer in the schools—or it is left where it was, to try again in the Court on another day. For conservatives, however, a so-called victory in the Supreme Court means not the Court's enactment of a conservative policy preference, but simply permission to continue fighting for the conservative position in the political process.

We hear much talk today about a "conservative" Court. In the popular media, however, "conservative" does not mean a Court that enacts conservative policy preferences; it means simply a Court that enacts liberal policies less frequently or aggressively. A Court that took away a past liberal victory—for example, by overruling *Miranda* or the exclusionary rule or *Roe* v. *Wade*—would be not merely conservative, but reactionary. A Court that actually enacted the conservative position on a controversial policy issue—for example, by holding that the states must prohibit abortion or restrict pornography or make provision for prayer in the schools—would be not merely reactionary but unimaginable. Such decisions would surely produce immediate demands from the academy and the media for measures to curb judicial tyranny.

The vast majority of constitutional-law professors in law schools and political-science departments, like the vast majority of all academics, media people, and others in our cultural elite, share the Supreme Court's liberal policy preferences. The nightmare of these intellectuals is that public policy should somehow fall into the hands of the American people. The American people, after all, favor capital punishment, a criminal-justice system that punishes criminals, restrictions on pornography, prayer in the schools, the assignment of children to neighborhood schools, and many other unenlightened policies.

The basic defect of democracy, these intellectuals feel, is that people with such backward views get to vote. The function of constitutional law is to correct this defect, and the function of constitutional-law professors is to justify constitutional law to the American people. The result is an academic growth industry which produces "constitutional theory," the purpose of which is to convince the people that the Supreme Court's policy decisions are really just the doings of the Constitution, and so must be accepted even when socially destructive.

The dilemma for constitutional theory is that, on the one hand, the Court's controversial decisions obviously cannot be justified as interpretations of the Constitution in any ordinary sense; but, on the other hand, the defenders of those decisions cannot come clean and openly advocate government by the Supreme Court—that is, government by majority vote of a committee of nine unelected lawyers making policy for the nation. Plato favored government by philosopher kings, but is it possible to favor government by lawyer kings?

The result is the production of ever more subtle and ingenious theories of constitutional "interpretation." Hermeneutics—a theological term concerning the interpretation of Scripture—has become an essential part of the constitutional-law professor's vocabulary. A debate rages between constitutional "interpretivists" and theorists identified as "noninterpretivists," though your average citizen probably does not even realize that noninterpretation is one of our interpretive options. The production of constitutional theory employs what are undoubtedly some of the best minds of our time. This is necessary because the task it seeks to perform—justifying Supreme Court decisions as based on the Constitution and therefore legitimate—is not merely difficult but impossible.

The experience of the last forty years demonstrates with ever-increasing clarity that government by judges is not an improvement over government by the people. The uncontrolled exercise of policy-making power by federal judges in pursuit of a utopian egalitarian vision has done the nation great harm. No task of American Government is more urgent than finding a means to limit that power. □

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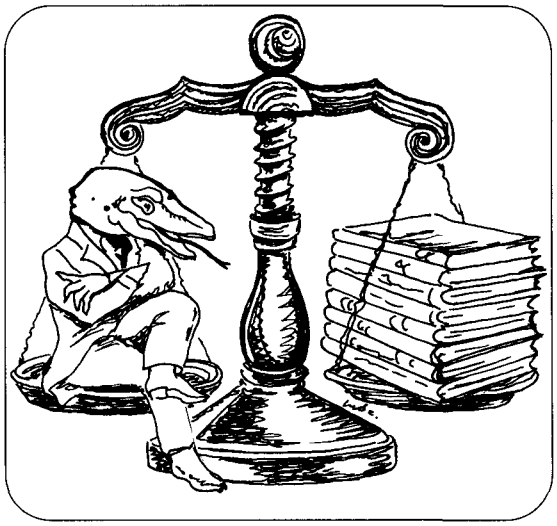
Gekko Balances The Budget

Toward A Win-Win Budget

STEPHEN MOORE & DANIEL J. MITCHELL

THE Republicans' budget plans are the boldest fiscal blueprints in a quarter-century. Unfortunately, this says more about the fiscal ineptitude of recent Democratic Congresses than it does about the righteousness of this Republican one. Don't misinterpret: the Kasich and Domenici budget plans are a welcome change from Bush–Clinton budget expansionism. (After inflation, the federal enterprise is more than one-third larger than when Ronald Reagan left town.) The GOP budgets limit the growth of government and aim toward a balanced budget in 2002. Most importantly, if Republican efforts are successful, federal spending will fall from about 22 per cent of GDP today to less than 19 per cent in 2002, which will promote growth by leaving resources in the hands of those who have incentives to use them wisely.

The House budget plan has particularly ambitious goals, eliminating some three hundred domestic programs ranging from the Small Business Administration tree-planting program (embarrassingly, a Bush Administration initiative), to Bill Clinton's $7.25-an-hour Americorps "volunteers," to SSI disability payments for cocaine addicts. Three entire departments—Commerce, Education, and Energy—would be mothballed. Foreign aid, which Peter Bauer once aptly described as "taxing poor people in rich countries and sending it to rich people in poor countries"—would be gradually reduced. And for the first time since the early 1980s, Americans would receive tax relief, not a tax hike.



Both the House and Senate budget plans pay homage to the worthy goal of a balanced budget. This is both good policy and good politics, because it establishes an emphatic political distinction between the congressional GOP and Clinton. Even with his world-record tax hike in 1993, Clinton's budget never approached a zero deficit. As Republican leaders have aptly noted, staying on the current policy of "$200-billion deficits as far as the eye can see" means each child born today would pay $180,000 of taxes in his lifetime just to finance the debt.

But for all the hoopla, there is less to the GOP budget plans than meets the eye. The one enduring lesson we have learned from a decade of budget deals is that the useful life of a congressional budget plan is one year—perhaps two. The Bush and Clinton budget deals were appropriately mocked for pushing all the promised spending restraint off into the future.

What does the House budget offer in the first two years? Federal spending *rises* by $58 billion in the first, roughly $40 billion in the second. If this is the GOP's blitzkrieg against liberal governance, one shudders to think what the party would look like in retreat.

Though Senate Republicans deserve brickbats for opposing the Contract's tax cuts, Senate Budget Committee Chairman Pete Domenici should get credit for one thing: the Senate budget plan imposes more spending discipline than does the House plan in 1996, 1997, and 1998. Or consider this: Bill Clinton's budget requests $1.61 trillion of spending for 1996. The House Republican budget would spend $1.59 trillion. In other words, Mr. Kasich would give Mr. Clinton 98.5 per cent of all the spending he wants.

True, Clinton's and Kasich's budgets

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part company in the future—but, as we said, backloading the spending cuts is historically a high-risk strategy. Under the House budget plan, 62 per cent of the deficit reduction occurs in 2001 and 2002, or two presidential elections from now. Are we really supposed to believe that in 2002 Congress will have a sudden burst of the fiscal fortitude that Gingrich and Kasich lack today?

Even the program terminations in Kasich's budget will not happen right away. It should not take four years to pull the plug on the Corporation for Public Broadcasting, the National Endowment for the Arts, or dozens of other liberal play toys. Furthermore, phasing out programs is a strategy designed to fail because it enables special-interest groups, temporarily disoriented, to regroup, reorganize, and fight with renewed vigor.

To offset these forces, the Republican budget plans must be strengthened. In particular, the goals of a balanced budget and faster growth can be furthered if Republicans combine the best parts of the House and Senate versions when the Conference Committee meets. The following five suggestions would help turn promises of a balanced budget into a reality:

1. Adopt the House tax cuts. Even the House bill's "enormous" tax cut of $350 billion over seven years is just 3.5 per cent of currently projected tax collections (discounting any supply-side effect). Indeed, if the Republicans cannot take this modest step, it will be seriously in question whether they are capable of dealing with the upcoming debate about transforming the tax system.

However, the real problem with neglecting tax cuts is politics. Republicans have put together a plan that makes genuine changes in almost every part of the budget. But beneficiaries of government spending programs will fight to preserve their place at the public trough. This is what makes reducing the capital-gains tax rate and giving families tax relief so important. These measures would help offset special-interest pleas by giving millions of voters a substantive reason to call their elected officials.

Finally, Republicans need to explain that tax cuts and deficit reduction are not an either/or proposition. Tax cuts, even using static scoring, can be achieved if legislators are willing to limit average annual spending growth to less than 3 per cent (the level of growth needed to reach zero deficit in 2002). House Republicans showed how to balance the budget *and* cut taxes, by holding the average annual growth of spending to slightly less than 2.5 per cent. Senate Republicans, however, apparently believe tax cuts are politically risky and instead approved a budget that contains no tax cuts and allows annual spending to increase by an average of 3.0 per cent. The House ver-

The Mother of All Cartels

IN A world of diverse individuals seeking to obtain various government services while preserving the liberty that government threatens, federalism traditionally has been viewed as a limit on the power of government. Competition in the public sector yields experimentation in the provision of public services.

A federal system thus tends to direct government consumption of taxpayers' hard-earned resources only to those activities the citizenry perceives to be valuable. Limited government requires that decisions on taxes and services be as decentralized as possible, and that those receiving the benefits of public spending bear the attendant costs.

Unfortunately, the new vision in Congress is very different. "Federalism" has come to be defined not as state and local responsibility, but instead as a system of federal "block grants" under which federal revenues are given to state governments for more-or-less specified purposes, with requirements to be decided by Congress. Because the Federal Government has more monopoly power than do states and localities, this ostensibly "conservative" theory of reform guarantees higher tax burdens, more oppressive regulation, and public services of lower quality than true federalism would yield.

The block-grant approach thus is literally a cartel arrangement in which the Federal Government imposes taxation higher than that politically feasible for the states were they forced to compete with one another. States then supposedly will be able to "experiment" as they spend the ensuing federal dollars. This charming idea assumes that Congress will forever be willing to take the heat for taxing while the governors get the credit for spending. The reality will be very different: federal strings will grow inexorably as Congress faces powerful incentives to use the block grants to subsidize its own constituencies.

It is slowly becoming clear that the interest of congressional Republicans in smaller government is a good deal more restrained than advertised. Since Republican proposals for tax reform—flat taxes, sales taxes, consumption taxes—apparently are intended to raise as much revenue as the current system, a wholesale transfer of power to states, localities, and the private sector either is not favored by the Republicans or will be made far more difficult to achieve.

A truly massive cut in both federal taxation and spending is needed to release substantial resources back to the taxpayers, so that they can decide whether to keep the dollars for private use, or expand state and local government activity. This is consistent with the Tenth Amendment limitation of federal powers to those enumerated in the Constitution. The long-run goal should be a system with very low federal taxation, and with enumerated federal responsibilities financed through a "block grant" revenue-transfer program from the states to Washington.

For now, we have not yet seen the wholesale attack on spending that is necessary. No large-scale privatization program. No frontal assault on the regulatory system. That, together with the block-grant approach to federalism, suggests that the Republicans may be unwilling to relinquish the federal power that provides the foundation for the Welfare State.

—BEN ZYCHER

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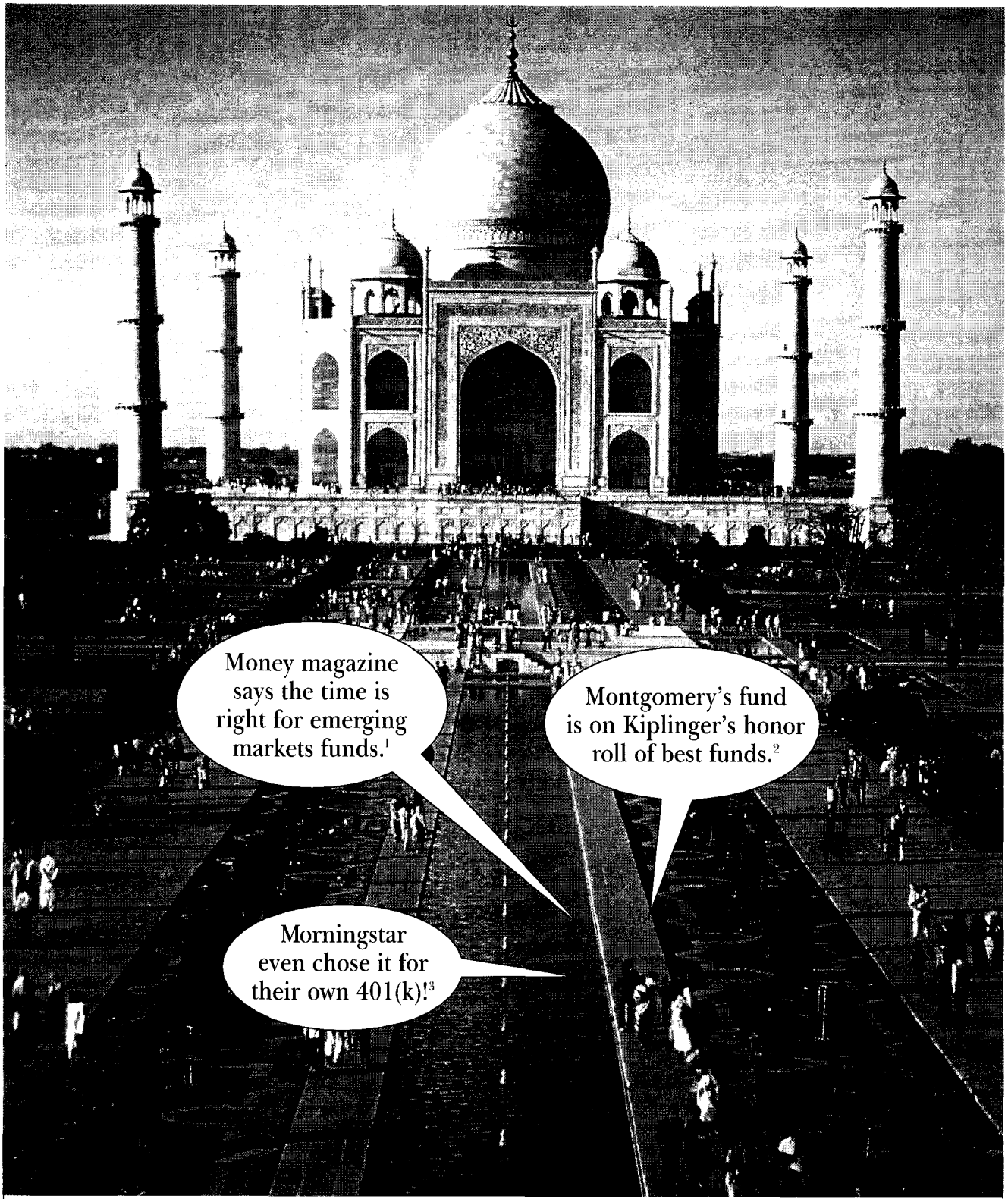
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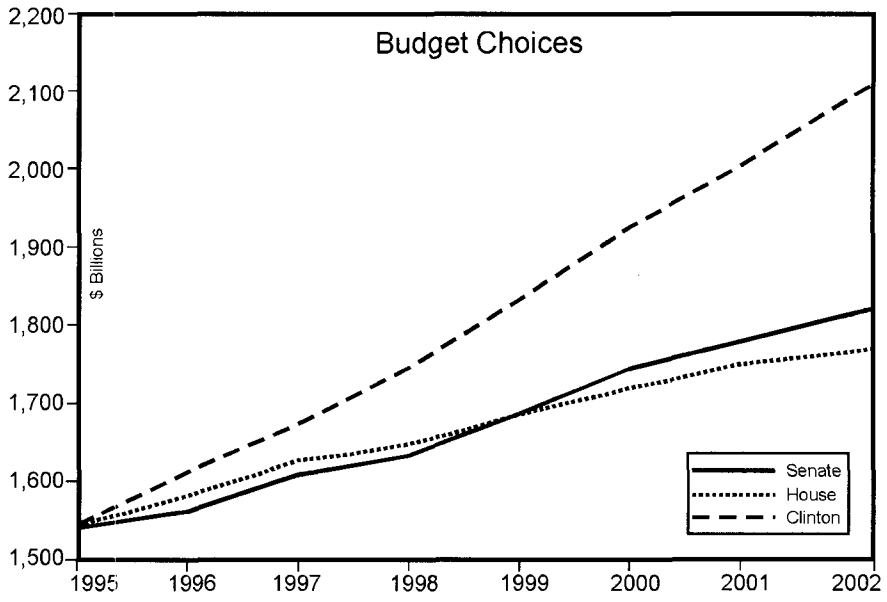

sion should be acceded to in Conference Committee.

2. Follow the Senate approach of front-loading the spending cuts. House Republicans may have made a big mistake by waiting until future years to obtain the bulk of their savings. Their plan, for instance, allows spending to grow by an average of more than 3.0 per cent a year in the first two years, an average of almost 2.5 per cent in years three to five, and less than 1.9 per cent only in the last two years. Other flaws notwithstanding, at least the Senate plan tackles the spending problem immediately by limiting average annual increases to 2.3 per cent in the first two years. (The Senate budget allows spending to grow significantly faster in future years, but acquiescence to the House-passed tax cut would force senators to reduce those projected increases.)

3. Don't cut programs—kill them. Why should Republicans continue to fund such liberal icons as the Legal Services Corporation, Title X grants to Planned Parenthood, and the Corporation for Public Broadcasting? One lesson of the Reagan years is that the best way to guarantee long-term savings is to kill programs outright. The Reagan Administration sweated blood to make modest reductions in many counter-productive and wasteful programs, only to see all the spending—and then some—restored during the Bush–Clinton years. By contrast, Congress was unable to resuscitate the small handful of programs that Reagan actually shut down, such as revenue sharing, the Council on Wage and Price Stability, the Civil Aeronautics Board, and the Urban Development Block Grant. Republicans should understand that it is much easier for a future Congress to increase spending for an existing program than it is to re-create a program that was completely de-funded. And since interest groups will protest just as stridently over a 10 per cent cut as over total elimination, there is no political reason not to do the right thing.

4. Implement sequester-enforced spending caps. Even the best budget plan will be greeted with some skepticism because of fears that future lawmakers will reverse course. Lyndon Johnson undid John F. Kennedy's pro-growth tax policy, and George Bush undermined Ronald Reagan's accomplishments. So why should markets believe that a budget plan enacted in 1995 will still guide policy in 1998, 2000, or 2002? A Balanced Budget Amendment with tax limitations is the obvious solution, but dishonest vote switches by Senators Kent Conrad of North Dakota, Jeff Bingaman of New Mexico, and Dianne Feinstein of California have probably delayed an amendment for two more years. In the interim, Congress should approve spending caps enforced by an automatic spending-cut mechanism patterned after the Gramm–Rudman sequester. The details are relatively simple; lawmakers should take the annual spending levels agreed to in the Conference Committee and enact a law that provides for automatic, across-the-board reductions if projected spending creeps above those amounts.

5. Impose party discipline. Many Republican committee chairmen already have expressed reservations about making long-overdue changes to programs under their jurisdiction. They must be given a clear choice: Do what the budget resolution requests or lose your chairmanship. Newt Gingrich's brilliant decision to make Bob Livingston chairman of Appropriations (jumping him over several Old Bulls who had gone native) is one of the reasons why House Republicans have displayed strong unity. Gingrich needs to be ready to take more such steps (Pat Roberts of the Agriculture Committee is one tempting target), and Bob Dole should be encouraged to display similar leadership.

Republicans deserve praise for the bold steps they have taken to restore fiscal sanity to the Federal Government. But the battle has just begun, and lawmakers will face unrelenting pressure for the next six months. The suggestions outlined above should help the GOP weather the coming storm. And if all else fails, they can still attach their budget legislation to the debt limit. Then if the President signs the bill, they win. If the President vetoes the bill, the government shuts down and the American people win. □

The Incredible Shrinking Government

SPENCER ABRAHAM

WHEN President Theodore Roosevelt sat down with his Cabinet for a meeting, he needed just nine chairs to accommodate everyone, including the Postmaster General. If he desired an impromptu gathering, he could just walk to the Old Executive Office Building next

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door. The offices of almost the entire Executive Branch were located there.

Ninety-four years later, a Cabinet meeting has almost twice as many participants—even without the Postmaster—and includes the secretaries of 14 departments spread all over the District of Columbia. At that, these meetings don't include the heads of hundreds of administrations, commissions, boards, and other federal agencies below the Cabinet level.

The growth in the size and scope of our Federal Government has placed enormous tax and debt burdens on our economy, lowering living standards and limiting job opportunities for the American people. The federal budget in 1901 consumed just over 2 per cent of total national income. Today, the government spends almost 25 cents of every dollar we produce. Measured against the size of the economy, the Federal Government is 12 times as large as it was at the turn of the century. Meanwhile, a federal budget that routinely enjoyed surpluses of 10 per cent or more during TR's tenure hasn't seen the black in 25 years.

During its undisciplined expansion, the Federal Government has created departments and agencies whose activities are unnecessary, duplicative, wasteful, and simply outside the limits of federal power prescribed by the U.S. Constitution. We must target these departments if we are truly to restrain the growth of government. Senate Majority Leader Bob Dole has set the standard by calling for the elimination of four Cabinet departments—Commerce, Energy, Housing and Urban Development, and Education. These four departments alone employ more than 74,000 bureaucrats and have combined budgets of $70 billion (133 times more than the entire Federal Government spent in 1901). Some of the programs of these departments serve useful purposes, but these could be consolidated and transferred to other departments, reassigned to private institutions, or devolved to the state and localities. Here are some initial ideas for downsizing government.

The Department of Commerce houses the least defensible collection of federal agencies in Washington, many of which are either duplicated or outperformed by other government agencies and private industry. According to the General Accounting Office (GAO), Commerce shares its mission with "at least 71 federal departments, agencies, and offices." Ironically, the constitutional duty of regulating interstate commerce isn't one of them; that's handled by the independent Interstate Commerce Commission, itself a target for elimination. Commerce is a bit player in international trade as well. Ten federal agencies are charged with promoting U.S. exports, but only a fraction of the funding is directed to Commerce.

The Commerce budget is primarily directed toward non-commercial activities. Almost 60 per cent of the Department's $3.6-billion budget is consumed by the National Oceanic and Atmospheric Administration (NOAA)—the nation's weather and ocean mapping service. Another $400 million funds the notorious Economic Development Administration (EDA), a traditional source of pork-barrel spending. At one point in its history, 40 per cent of the EDA's loans were in default, while economic-assistance grants were being distributed to such economically troubled areas as Key Biscayne, Florida. Even when it is effective, the EDA duplicates the efforts of numerous other programs in other departments.

The various functions of NOAA could either be sold to private institutions or transferred to more appropriate departments. The EDA should be closed down entirely. Another Commerce program, the Census Bureau, could be transferred to an existing agency or made the basis of a new, independent statistical agency.

The Department of Energy is equally deserving of elimination. During the 1970s, federal energy policy played havoc with the energy industry—helping to prolong two national energy crises within six years. It was only after President Reagan deregulated the industry that prices stabilized at reasonable levels. But deregulation also left the newly created Department of Energy (DOE) with a budget focused on non-energy programs. Almost 60 per cent of its funding—$10 billion per year—is spent on nuclear-weapons design, research, and clean-up. These programs are national-security oriented, and could be assigned to the Defense Department, perhaps with

Senator Abraham (R., Mich.) is the co-chairman of the Senate Task Force on Elimination of Government Agencies and a member of the Senate Budget Committee.

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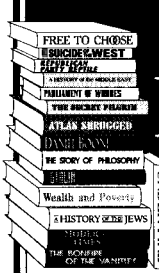

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civilian oversight. Other facilities not vital to national security could be sold.

The remainder of DOE is mostly made up of wasteful and inefficient corporate-welfare programs. Some, like Clean Coal Technology and Energy Conservation Research, subsidize our large energy companies, while others, like the Naval Petroleum Reserve, compete against them. The Strategic Petroleum Reserve (SPR) alone has cost taxpayers over $21 billion since it was created in 1975; it has been used only once to offset rising oil prices and then with debatable success. The DOE's corporate-welfare programs could be eliminated or sold to the private sector—in some cases at a substantial profit. For instance, selling the SPR could raise over $10 billion.

A third federal department that has failed to live up to its promise is the Department of Housing and Urban Development. Created in 1965 as part of Lyndon Johnson's War on Poverty, HUD was charged with addressing the problem of affordable housing, especially in the inner cities. Thirty years later, home-ownership rates are stagnating, homelessness is up, and our low-income housing, both public and private, is in worse condition than before. At the same time, many of our large inner cities actually have lost population.

Meanwhile, HUD itself has thrived. Since 1980, the number of programs the department administers has grown from 54 to over 200, while its annual budget has grown by almost 400 per cent. It now exceeds $25 billion per year. Eliminating HUD will not be easy, since many of the department's programs involve long-term contractual obligations. Nevertheless, something needs to be done.

One of our first goals should be to get the Federal Government out of the landlord business. Whether Uncle Sam builds housing or subsidizes private construction, the result is often the same—the poor are warehoused in inadequate yet expensively built public-housing units. Further, the areas in which many public-housing tenants live have become more dangerous. HUD's own 1992 report on severely distressed public housing found that many residents were afraid to leave their own homes, while others were living in decaying conditions threatening to health and safety. To the extent that housing assistance comes from the Federal Government at all, it should be directed to individuals, states, and possibly local governments by converting HUD's existing programs into block grants and vouchers—and administering them from a new office within the Department of Health and Human Services. We also ought to create a new White House "Office of Federalism" to provide a single point of contact for governors and mayors on matters related to the various federalism initiatives.

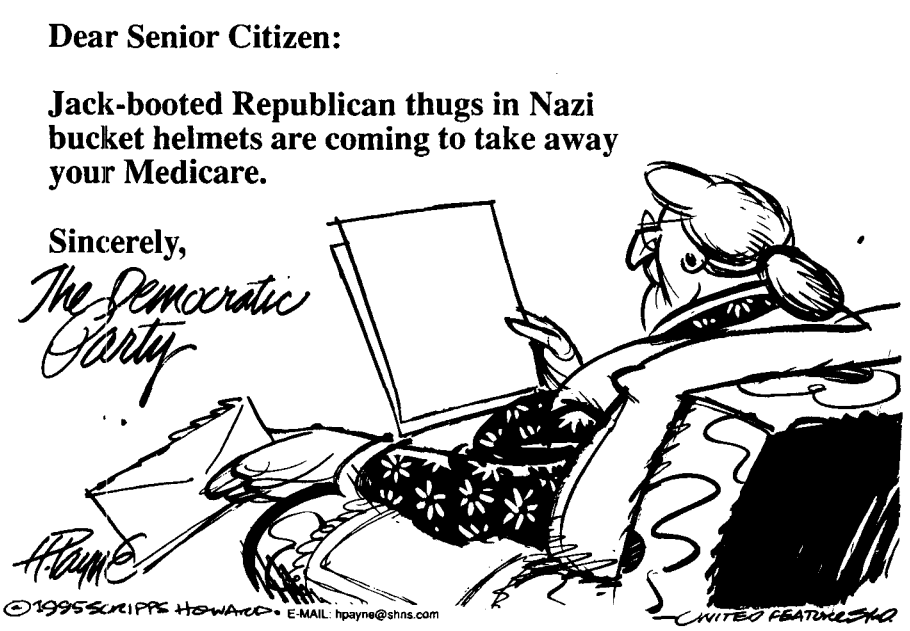
The Department of Education, the newest Cabinet-level department, was created in 1979 to consolidate the numerous federal education programs created since the Johnson Administration. Over the years, Education's budget has doubled, while student performance has steadily declined. According to former Secretary of Education William Bennett, SAT scores hit their peak at the same time Washington began its move into the educational field. Since 1962, SAT scores have declined by 78 points.

Meanwhile, funding for the Department of Education has grown to $33 billion, and the number of bureaucrats has grown to 5,100. However, funding for primary and secondary education continues to be the responsibility of state and local governments, with only about 6 per cent of all money spent in the classroom coming from Washington. Furthermore, those few dollars have numerous strings attached, which inhibit the efforts of governors, local school boards, and parents to carry out education reform.

At the national level, reform of our nation's schools should start with removing the intrusive federal presence. Parents and teachers should have the primary responsibility for educating our children. Congress can assist their efforts by merging existing primary and secondary programs into "no strings" block grants and vouchers. Furthermore, existing laws such as the recently passed Goals 2000 that create new federal commissions and bureaucratic controls on education should be repealed.

Cabinet-level departments aren't the only source of waste and duplication. At the sub-Cabinet level, there are hundreds of outdated and obsolete agencies, commissions, boards, and committees that strain the resources of taxpayers. Approximately 130 independent federal agencies—ranging from the Christopher Columbus Fellowship Foundation to the Legal Services Corporation to the Thomas Jefferson Memorial Commission—appeared important at the time they were created, but today have clearly outlived their usefulness.

The new Republican Congress is committed to balancing the budget by the year 2002. While this commitment means we must do the heavy lifting of reducing growth of government, it also presents us with an historic opportunity to restore a government of limited powers, one that does not infringe upon the powers and responsibilities of the states and of the people themselves. Only by recognizing the limits of the Federal Government can we reduce the burden of taxes and debt on our economy—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and more important, restore vitality to our localities, community organizations, and character-building institutions. □

Home Lessons from Abroad

LINDA BRIDGES

WHOEVER coined the image about the difficulty of dismounting from a tiger you've been riding, it certainly applies to getting out of a welfare state. "The welfare state," after all, isn't just what we think of as "welfare"; it's everything from agriculture subsidies and the National Endowment for the Arts to HUD and the Small Business Administration, with Medicare and Social Security squatting in between. And, as Madsen Pirie of the Adam Smith Institute put it at this year's Philadelphia Society meeting, in a situation where every identifiable group of voters gets some special benefit from the government—even if government doesn't do things nearly as well as they could do them for themselves—no group wants to give up its benefit unless everyone else does so simultaneously.

The Philadelphia Society, meeting just after the Hundred Days had concluded, could be more hopeful than at any time since about 1981, and the program was accordingly titled "Thinking the Unthinkable: The Successful Challenge to the Welfare State." And yet the problems of how to kill programs without inflicting serious harm on people who have come to count on them, and how to maintain a few safety-net functions without constructing perverse incentives, were on everyone's mind—not to mention how to avoid getting eaten by the tiger in the 1996 elections.

And yet we cannot funk the challenge, because we are reaching the limits of the Ponzi scheme. To quote Antonio Martino (briefly Italy's foreign minister, but a Chicago-trained economist by profession), "The cumulative effect of decades of socialism has produced a state of near-bankruptcy which makes further expansion of government interference almost impossible." Even if we thought Medicare did a *good* job of allocating medical resources, it literally cannot continue on the same basis for very much longer.

No one under about age 45 has much first-hand recollection of how services were supplied to the needy before the Great Society; no one under about 75 for the New Deal. So talk of dismantling these programs is, as Newt Gingrich knows too well, "scary." When Britain's National Health Service first came under close scrutiny a couple of decades ago, even as solid a conservative as Ferdinand Mount hotly defended it against serious reform.

But this is where scholarship can come to our aid: first-hand recollection isn't the only kind there is. Two of the Philly Soc speakers, Patricia Morgan of the Institute of Economic Affairs and David Beito of the University of Alabama, showed how a combination of charity and mutual aid once covered a large part of the poorer sections of the population.

In both Britain and America there is a solid history of charity—of those who have giving to those who have not. But human nature includes a desire not to be beholden, and this is where "friendly societies" and "fraternal orders" came in—not charity from above, but assistance among peers. The societies—a shadow of which still survives in the Elks Club, the Oddfellows, and so on—were a combination of social club and insurance plan. Members paid dues when they could, knowing that they were helping their fellows, and that they in turn would be helped in time of need.

And these societies covered a large majority of the working class—in Britain, some 9½ million out of 11 million people; in America, more than 80 per

Miss Bridges is NR*'s managing editor.*

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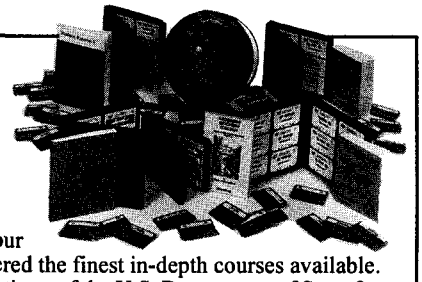

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cent of lower-income workers. Indeed, a huge percentage of black men, although working for very low wages, regularly contributed to their fraternal societies—93 per cent in 1919.

If these societies were so great, what killed them? Essentially, the Progressive movement, concerned no doubt for the 1½ million people in Britain, the 7 per cent of blacks and 15 per cent of native white Americans who fell through the cracks. And so the Progressives passed unemployment insurance, widows' support, workmen's compensation—all aimed at "the deserving poor," but inevitably undermining both initiative and a feeling that one was doing one's bit.

We see here too the root of the entitlement mentality. Thirty years ago older people who no longer had a regular income would still hotly resist taking anything from any arm of government—that was "charity." But with the rise in taxation, people understandably feel that they have been paying all their working lives and are indeed entitled to a "comfortable retirement."

But of course any commercial annuity provider that was run along the same lines as the Social Security Administration would have been had up on charges of fraud long ago. As Lee Edwards, author of a new biography of Barry Goldwater, recalled, Goldwater pointed out during the 1964 campaign that Social Security was actuarially unsound—and was pilloried for it.

In a way, as Madsen Pirie explained, the meltdown makes it easier to sell real reform. The problem is that Social Security is, despite the "Social Security Trust Fund," in reality an unfunded system—one, that is, in which funds are not earmarked for those who contributed them, as in a commercially run Individual Retirement Account, but new funds are used to pay older obligations, with the assumption that later contributions can be used to repay the current contributors; or, as Mr. Pirie put it, that the next guy in the chain letter will be a bigger mug than you were. But if a reforming government tries to move from an unfunded to a funded system, won't there be one generation that pays twice? Yes—but Mr. Pirie cited the experience of the Conservative government in Britain as a useful guide to Newt and his troops. What the task force studying the British system found was that a privatized system is so much more efficient that much less needs to be contributed in order to yield the same return. Hence the transitional group won't be paying 200 per cent of what its predecessors did, but more like 120 per cent. Not pleasant, but, again, it's not as if we had much choice: the future of Medicare and Social Security don't look very encouraging for anyone who isn't already retired. However, Mr. Pirie did add one caveat: in a fully funded system, one has to abandon universality of benefits: if you don't pay in, you don't draw out. That still leaves the politically tough question of how capacious a safety net will be provided by taxpayers, and how much will be left to private charity.

One obstacle to reform is that the welfare-dispensing bureaucrats have no incentive to reduce their caseload. David Somerville of the National Citizens' Coalition recounted an ingenious plan being tested in New York State. Some job training has been contracted out to an outfit called America Works. So far from being paid for failure—i.e., for keeping people on the rolls—America Works is rewarded only if it succeeds in training and placing people in jobs. Again, though, it will not be quick; as Alejandro Chafuen of the Atlas Economic Research Foundation put it, the last thirty years cannot simply be wiped off the slate—the policies instituted in the Sixties have shaped our world.

Reshaping that world is at least as thorny a problem in the field of welfare per se as on the Social Security side.

Society may well have a duty, as Patrick Fagan of the Heritage Foundation argued, to try to rescue people whom our government's policies have lured into a life of welfare dependency. From a purely utilitarian point of view, too, a personalized approach to getting people off the dole (talking with them, teaching them, as the Hudson Institute is doing in Wisconsin, under contract to Governor Tommy Thompson's administration) may stand a better chance of success in the long run than simply changing the benefit structure, even if it costs more in the short run. Also, politically, the talk of Scroogey Republicans can be undercut if, as Dr. Fagan suggests, we give a "sense that we are concerned that people belong—not just that they behave."

Meanwhile, as Congress argues over the number of strings that should be attached to block grants, Antonio Martino offered, from Forza Italia's election platform, a truly liberating thought: instead of having the bulk of taxes raised by the central government, with portions being sent back to the states after much attrition, why not have all taxing power at the state and local levels, with a small percentage going to the national government for those few tasks, like providing for the common defense, that properly belong to it?

The trick is to convince a majority of citizens that you are not taking something away from *them*—or at any rate nothing that they couldn't better purchase for themselves if the government were taking fewer of their dollars in taxes. Two views of the political strategy were aired at the Philadelphia Society, echoing those in the halls of Congress. Don Devine, head of the Office of Personnel Management under Ronald Reagan, counseled waiting for the more radical parts of the agenda until 1997, instead of facing vetoes and evocations of *Oliver Twist* now. ("It's the veto that makes the President relevant—everyone laughed when he said it, but it's true.") John Blundell of the Institute of Economic Affairs, on the other hand, warned against sticking with what seems politically possible—"Those concerned merely with the possible soon find that it becomes impossible, and they are passed by." As Barry Goldwater could tell us, however, it all depends on where the voters are on the boldness curve. □

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Politics as Usual

REPUBLICANS AGAINST THE REVOLUTION

What with farm-state votes, the inertia of committee chairmanship, and the pull of strange new respect, the revolution is finding its biggest obstacles within the GOP ranks.

RICH LOWRY

IN April, the Republican leadership in the Senate decided to broaden its product-liability bill in an attempt to make it as close to the House-passed version as possible. The first step was amending the bill to include a provision requiring attorneys to disclose their fee arrangements with clients. It seemed a gimme—until Slade Gorton (Wash.), not just a Republican, not just a supporter of legal reform, but the *floor manager* of the product-liability bill, announced he would move to table the amendment. Aides to Majority Leader Bob Dole successfully scrambled to head off this intended fratricide. But the rest of the Republicans' effort on product liability became a shadow-dance around their own floor manager. After the bill had been broadened, and while the leadership was trying to find the 60 votes necessary for cloture, Gorton blithely declared that the votes weren't there and the bill would have to be stripped down again.

He turned out to be right, but he had contributed more than a little to the result. Republicans stonewalling Republican initiatives is becoming a subtheme of the 104th Congress. A roving band of "counter-revolutionaries"—some devoted "moderates," others focused on their constituents' narrow interests, still others just timid—are working to scuttle conservative policy. If you've read about it in a Cato or Heritage briefing book, you can bet that somewhere there's a Republican, probably a committee chairman, trying to keep it from happening. The following is an illustrative (though incomplete) guide to the counter-currents in an otherwise impressive Republican Congress.

Agriculture subsidies: In a May meeting, House Agriculture Committee Chairman Pat Roberts (Kan.) warned his fellow Republicans on the committee not to gloat, while suggesting that a letter he had received from the House leadership represented victory. It affirmed that the leadership "will work with your committee to win approval this year of a farm bill that will establish a positive, market-oriented farm policy." The letter also promised language in the budget resolution establishing "a commitment to re-examine agricultural policy for 1999 and 2000" if land values fall below 95 per cent of their current level. Roberts interpreted this as ensuring that Dick Armey, the leadership's most radical farm-policy reformer, would be kept at bay while the committee preserved today's intricate system of subsidies and price supports.

Leadership aides downplay the importance of the letter, so Roberts may well have been exaggerating. But there's no overstating his own effectiveness in fighting for farm interests. "He doesn't give up, he keeps coming back at it, coming back at it," says a leadership staffer. It was Roberts who provoked the first real breach of the Contract with America back in March when he successfully resisted converting the food-stamp program into a block grant. Food stamps play an integral role in farm politics, delivering the urban portion of the alliance that passes a farm bill every five years; letting them go was too much for Roberts. It was left to John Hostettler, an Indiana freshman, to fight valiantly, but vainly, for the block-grant approach. Food stamps were just a warm-up.

Budget Committee Chairman John Kasich at first contemplated cutting agriculture subsidies by $16 billion over five years (out of $40 billion), a slice on par with the $15 billion proposed by reformist Senate Agriculture Committee Chairman Richard Lugar (Ind.). But Roberts would have none of it. With the threat of what one aide calls a "near revolt" by farm-state Republicans, Roberts got Kasich down to $9 billion over five years. On the Senate side, Charles Grassley (Iowa) kept the Budget Committee down to a similar figure. The result is that current farm programs are likely to survive with nips and tucks. "I think they'll tinker enough to achieve the savings and leave the basic farm-payment structure in place," says former Representative Tim Penny (D., Minn.), a steadfast and honest deficit hawk.

Farm subsidies are a sort of conservative welfare, enticing to even new-generation Republicans. When Conference Chairman John Boehner (Ohio)

Mr. Lowry is NR's *national political reporter.*

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sat down with freshman and sophomore Republicans to talk about the farm budget, he heard grousing even from such right-wingers as freshman Helen Chenoweth (Idaho). George Nethercutt (Wash.) heads an agriculture task force for freshmen that critics see as a means of pressuring the leadership to go easy on subsidies. (Nethercutt fought successfully to save a wheat-research facility in his district from the rescissions bill.) Some new-generation purity comes by way of Florida sophomore Dan Miller, who is calling for the end of the U.S. sugar program, even though it bankrolls one of his state's more powerful interests. But when Miller held a press conference to launch his effort, another Republican held a counter press conference immediately afterward: Florida freshman Mark Foley.

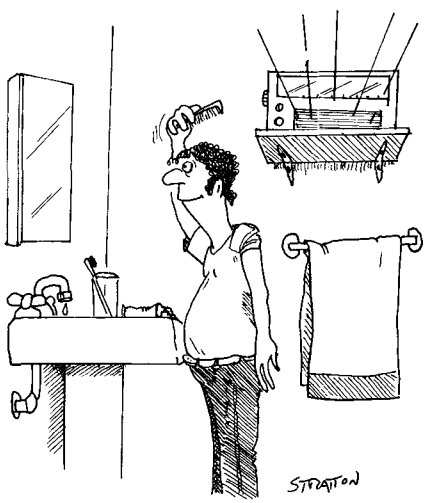
The Foster nomination: When Henry Foster limped into his Senate Labor and Human Resources Committee hearings, he seemed unlikely to make it back out. But he did—and with an extra bounce in his step. Chairman Nancy Kassebaum (Kan.) opened the hearings with remarks suggesting Foster had been maligned by his critics. Freshman Republican Bill Frist (Tenn.) defended Foster whenever questioning got particularly tough. When the committee finally voted on the nomination—with Frist and Vermont Republican James Jeffords providing Foster's 9 to 7 margin—Democrats Paul Wellstone (Minn.) and Barbara Mikulski (Md.) made a point of praising Senator Kassebaum. As usual, the reward for such virtue is earthly and swift: just days after the hearings the *Washington Post* ran a syrupy front-page profile saying Nancy Kassebaum proves "there is still a place in Congress for dispassionate consideration of issues."

Title X funding: The nearly $200-million Title X program, part of the Public Health Service Act, funds family-planning counseling and the distribution of contraceptives. A huge beneficiary is Planned Parenthood, which gets a chunk of its roughly $150 million a year in government funding from Title X. It's a textbook example of government subsidizing anti-family policy. But the chairman of the relevant House Appropriations subcommittee is Illinois Republican John Porter, a staunch Planned Parenthood supporter. In recent weeks Capitol Hill has been a-twitter with rumors that Porter has assured Planned Parenthood he'll get them the maximum funds possible. When the House was making rescissions from this year's budget the word among staff was to leave Title X untouched (as indeed it was). Even if Porter is rolled in the House, the subcommittee chairman in the Senate is none other than Arlen Specter (Pa.), Mr. Addams Family Values.

Ineffective programs: When Jan Meyers (Kan.), chairman of the Small Business Committee, saw a draft of *Restoring the Dream*, the book on balancing the budget that the Cato Institute's Stephen Moore wrote on behalf of House Republicans, she had a fit. It called for abolishing the ineffective but resilient Small Business Administration, which she oversees. Abolishing the SBA stayed in Moore's book but didn't make it into the House budget resolution.

The Rural Electrification Administration, an anachronism, is perennially on everyone's list for elimination. But the idea of even scaling back its loan subsidies failed in the House thanks to Republican Wayne Allard (Colo.), a Budget Committee member, and in the Senate thanks to Democrat Kent Conrad (N.D.) and Republican Charles Grassley.

The Low Income Home Energy Assistance Program (LIHEAP), another out-dated program, had all its funding eliminated in the House rescissions bill. Arlen Specter, whose fiscal conservatism is supposed to compensate for his lack of any other kind, couldn't move fast enough in the Senate to restore LIHEAP for the good people of Pennsylvania. The list goes on.



"Coming up this hour on Classic Hits 104, oldies by Grace Slick, Little Richard, Bing Crosby, Scott Joplin, Stephen Foster, Francis Scott Key, and George Frideric Handel."

Amtrak: "Amtrak is on life support and there are some folks who want to kill it altogether," Transportation Committee Chairman Bud Shuster (Pa.) declares in a press release. "I want to save Amtrak." And so he did. Shuster has had a busy couple of weeks. First he helped restore funding for two pork-barrel projects in the final rescissions bill, giving President Clinton a nice peg upon which to hang his veto threat. Meanwhile, he was flacking (unsuccessfully for now) for the idea of taking the highway trust funds off budget. Finally, a Transportation subcommittee propped up Amtrak. "The Agriculture Committee and the Public Works and Transportation Committee [are] where essentially it's still 1970," says a leadership aide. "There's a mentality that pervades those two committees that you don't even see really on the Appropriations Committee any more."

The rail subcommittee, led by Susan Molinari (N.Y.), incorporated some of the reform ideas pushed by Joel Hefley (R., Colo.), but watered them down. Hefley would have phased out Amtrak's subsidy over four years. The Molinari plan follows the funding trajectory of the House budget resolution, which envisions phasing it out over seven years, and the clock doesn't start ticking until three years from now. So phaseout comes circa 2006, three presidential elections away, or, as they put it outside the Beltway, never.

Tax cuts: When the Senate finally put itself on record for tax cuts—$170 billion over seven years—it was only after a wrestling match with Budget Committee Chairman Pete Domenici (N.M.). With a nod and a wink Domenici encouraged eight other Senate moderates to write Bob Dole a letter saying they wouldn't accept tax cuts on the order of the House cuts. Then Domenici said he was amenable to an amendment to the budget resolution by Frank Murkowski (R., Alaska) that would have earmarked the $170-billion savings—the money that now will be tapped for tax cuts—for further deficit reduction. With Democratic support and the votes of moderate Republicans, it could have passed, killing tax cuts in the Senate. Conservatives managed to

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dissuade Domenici and Murkowski from pursuing the amendment, but they couldn't forestall one last absurdity.

Freshman Senator Olympia Snowe (R., Me.) offered near the end of deliberations an amendment to restore some $6 billion in funding for student-loan programs while providing $6 billion in offsetting spending cuts. The amendment failed. So she revised it to include $9 billion in increased spending to be offset by $9 billion in *revenue increases*, supposedly from closing tax loopholes (though exactly how has yet to be determined). Domenici wanted to pass the amendment on a voice vote. Only after conservatives objected was there a roll-call vote so that 33 Senate Republicans could at least go on record against the Snowe tax hike.

Where the Debates Are

NOW that Republicans are the majority, some divisiveness is to be expected: the GOP is home to all the important policy debates. That doesn't make GOP betrayals any more sensible from a policy perspective (a Republican-sanctioned SBA isn't much better than a Democratic one) or any less damaging from a long-run political perspective (having principles, even when your own interests are at stake, is important). But Republicans will have to suffer for a long time yet (despite the best efforts of Speaker Gingrich) from what might be called the "committee chairman syndrome": the person with the most authority over an issue tends to be the least reliable.

Some of this effect is generational, a matter of seniority. Senate Appropriations Committee Chairman Mark Hatfield, the sole Republican holdout on the Balanced Budget Amendment, is a creature from a different era. Some stem from turf considerations; Senator Kit Bond (Mo.) and Representative Rick Lazio (N.Y.) won't let the Department of Housing and Urban Development get the axe as long as it's in their jurisdiction. But, whatever its cause, the chairman syndrome is pervasive. Clint Bolick, vice president of the Institute for Justice, wrote House Opportunities Committee Chairman Bill Goodling (Pa.) about reports that he opposes Pennsylvania Governor Tom Ridge's school-choice plan and doesn't plan to hold hearings on choice in his committee. Goodling wrote back in his defense that later in the year "an examination of choice proposals certainly *could* be a part of the Committee's deliberations" and that when two colleagues recently introduced a choice bill he "intentionally did not offer public comments so as not to be an *immediate* roadblock to their efforts" (emphasis added). Reassured? □

Chemophobes on the Loose

CASE OF THE FALLING SPERM COUNTS

Are man-made chemicals threatening American manhood? The evidence, please.

JOHN BERLAU

ONE OF the most important promises made in the Contract with America was the pledge to "incorporate the best available scientific data" in balancing environmental risks against the economic costs of regulating against them.

The Republicans could begin to fulfill their mandate by highlighting the questionable evidence behind proposals to ban or sharply curtail the use of man-made chemicals. After years of false alarms of cancer dangers—from fluoride in water to Alar on apples—American consumers are beginning to realize that many scares are based on flimsy evidence. Even some in the mainstream media now scrutinize cancer scares more closely. ABC's John Stossel, the *New York Times*'s Keith Schneider, and the *Los Angeles Times*'s David Shaw have all debunked claims that normal levels of dioxin, pesticides, and other synthetic chemicals pose a serious cancer threat.

But as cancer scares are fading, a new strategy is under way. Whereas man-made chemicals used to be characterized as the Grim Reaper, they're now a stand-in for Lorena Bobbitt. These chemicals, we are told, "feminize" men by reducing their sperm counts and causing other reproductive disorders. News stories and television documentaries have focused on the reduced size of alligator penises in a Florida lake where a pesticide spill occurred, and raised the specter that males of all species are under siege.

University of Florida alligator researcher Louis Guillette says, "We should be screaming in the streets," because every man today is "half the man his grandfather was." Former Colorado Senator Tim Wirth, now the Clinton Administration's undersecretary of state for global affairs, warns that if nations don't forge an agreement at an upcoming United Nations conference on reducing "persistent organic pollutants," they face "the specter of endangered species, sterile waterways, [and] lower sperm counts."

Although the claims about what synthetic chemicals will do to us have changed, the misrepresentation of facts has not. And, as they did during the cancer scares, many in the media are swallowing these claims without critical examination.

In fact, not only is there little evidence that background chemical exposure is causing reproductive disorders in humans, it is far from certain that sperm counts are decreasing at all.

Danish endocrinologist Niels Skakkebaek started it by concluding in the *British Medical Journal* (*BMJ*) in 1992 that sperm concentrations in men fell by almost 50 per cent from 1940 to 1990. He attracted much media attention, including the Discovery Channel documentary "Assault on the Male," by

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suggesting a link between the falling sperm counts and a laundry list of man-made chemicals that mimic the sex hormone estrogen—PCBs, dioxin, pesticides, and others.

However, Skakkebaek admits that most of the studies he analyzed show no decline in sperm counts since 1970, around the time when synthetic-chemical use was at its peak. In his articles Skakkebaek drew a downward-sloping straight line that makes the sperm-count decline look as if it's continuing into the present, though he admitted that he found no evidence to warrant that conclusion. "We never said it was a continuous decline," he said at last year's annual meeting of the Toxicology Forum.

In February, a study in the *New England Journal of Medicine* did report a continuing decline in sperm counts at a French sperm bank, but an accompanying editorial pointed out the study's limitations. The French report also flies in the face of two analyses in the *BMJ* and *Fertility and Sterility* that compile data from 48 of the 61 studies Skakkebaek analyzed and actually find a slight increase in sperm counts in the past twenty years.

Skakkebaek's study has come under severe criticism in the same journal that published it: last July, *BMJ* published a rebuttal and a highly skeptical editorial.

Entitled "Falling sperm quality: fact or fiction?" the editorial pointed out that Skakkebaek's study failed to control for factors such as patients' ages, length of abstinence before examination, and the different selection methods in the studies it reviewed. The editorial also pointed out that a 1979 study that covered nearly as many men as Skakkebaek's and used more care in selection criteria found no decline in sperm counts from 1951 to 1977.

The *BMJ* rebuttal—by Peter Bromwich, the medical director of a British fertility clinic—charged that because the cutoff point for sperm-count data admitted into most studies in the 1940s was three times higher than it is today, and because Skakkebaek did not adjust for this, his comparisons are invalid. The apparent decline may reflect nothing more than a change in methodology.

An additional reason to be skeptical

Cleaning Up Superfund

BORN amid the national outcry over Love Canal, Superfund was misguided from the start. It was designed to clean up some 400 toxic-waste sites, and every state "was guaranteed at least one site on the list," writes Kent Jeffreys in his excellent policy study *Reinventing Superfund*.

What began as an environmental pork-barrel program quickly deteriorated. By changing the legal liabilities of cleaning up hazardous sites and dramatically expanding the legal and scientific notions of hazard, Superfund has raised clean-up costs astronomically. And yet it has failed to clean up more than a handful of sites. In fact, more sites have been added to the list than have been cleaned up. This is what Carol Browner, administrator of the Environmental Protection Agency, describes as "substantial progress in cleaning up hazardous-waste sites."

The problem with Superfund is best illustrated with a few statistics. There are now 1,320 Superfund sites on the National Priority List, up from 400 in 1981. The total number is expected to rise to more than 3,000. Only 51 sites had been completely cleaned up and taken off the list as of Fiscal Year 1993—roughly 5 per cent of the total.

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Furthermore, average clean-up time is now 13 years; and the time is growing, not shrinking. The problem isn't slow-moving clean-up crews. The average clean-up doesn't even begin until eight years after the site has been discovered and listed by federal authorities. The Brio site in eastern Texas is a typical case; it was added to the Superfund list in 1984 and clean-up hasn't started yet.

Meanwhile, costs are climbing. The Federal Government alone spends an average of $30 million per site. The total cost of Superfund to the Federal Government from 1980 to 1994 was $15.2 billion. Over the same period the private sector spent more than $45 billion. If all 3,000 potential sites are cleaned up, combined government and private-sector cost could exceed $150 billion.

Why is Superfund so expensive? Fully 88 per cent of the money spent goes to lawyers and consultants. Excessive legal liability, plus the intrinsically high cost of clean-up, leads governments and corporations to sue in order to spread the cost.

Behind the large price tag is a small mountain of junk science. Finally, some congressmen, led by Mike Oxley (R., Ohio), are beginning to ask the fundamental question that bureaucrats have ignored for a decade and a half: How many of the 1,320 Superfund sites are actually hazardous to public health? According to the federal Agency for Toxic Substances and Disease Registry, only 0.9 per cent of Superfund sites are "urgent hazards," and only 19 per cent of the listed sites pose actual or potential health risks.

The other 81 per cent of sites are risky only if you accept the government's default assumptions. When there is a gap in available scientific knowledge, rather than gather that knowledge, the agencies "err on the side of safety."

Here are eight key questions for which science has yet to issue definitive answers. Alongside them are the government's default assumptions.

How do animal test results relate to humans? If a substance causes cancer in animals, it is assumed to cause cancer in humans.

Do you count benign as well as cancerous tumors in test animals? Both are counted and used to estimate the carcinogenic risk for humans.

When both positive and nonpositive cancer data exist, do you use the nonpositive data as well? If you have positive data, the nonpositive data should not be used to indicate a level of safety.

Which animal species should be used to represent humans? The animal species used is the one with the greatest demonstrated sensitivity to a particular substance. Imagine two substances, A and B. A causes tumors in rats, but not in mice. B causes tu-

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is that the supposed sperm-count decline is at variance with a more direct measure of men's ability to reproduce: fertility rates. As Richard Sherins noted in a February *New England Journal of Medicine* editorial, surveys of the general population by Princeton and the National Center for Health Statistics have found that "rates of infertility have remained constant during the past three decades (at 8 to 11 per cent), and male infertility has accounted for approximately one-third of cases." Sherins, director of andrology at the Genetics & IVF Institute in Fairfax, Va., also pointed out in an interview that unlike the fertility surveys, sperm-count studies have not been representative of the general population. By relying on samples from fertility clinics and sperm banks, these studies are biased toward men with especially low and especially high sperm counts.

Sherins said that until a carefully controlled random study is conducted, it is impossible to tell whether sperm counts are changing. "Maybe sperm concentrations are lower now," Sherins said. "It's possible, but the data aren't there to substantiate it."

To listen to some media reports about the "feminization" of men, you would not know these criticisms had ever been made. Both "Assault on the Male" and an August segment of ABC's *20/20*, each of which aired after *BMJ's* rebuttal and critical editorial, took Skakkebaek's falling-sperm-count study as an article of faith. "The changes to human reproduction are real," an announcer concluded in "Assault on the Male." *20/20* asserted flatly that "human sperm count has gone down by half in just over forty years" without even citing a source.

In a twisted way, some in the environmental movement seem to welcome the alleged link between chemicals and male reproductive disorders. Former Representative Bella Abzug, for instance, believes that her efforts to ban certain uses of chlorine that allegedly cause breast cancer were hampered solely by the sexism of a male-dominated Congress. (Never mind that the largest study ever conducted found no correlation between breast cancer and organochlorines such as DDE and PCBs.) But now that manhood is

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mors in mice, but not in rats. Which data does the government use? For A, the rat data; for B, the mouse data.

When using animal data to anticipate human health risks, how should mechanistic differences between species be taken into account? When extrapolating data from an animal species to humans, differences between the species (except for weight) are rarely taken into account.

If data show that swallowing a substance causes cancer, what does this tell us about the risks of inhaling it? If a substance causes cancer by one means, it is assumed to cause cancer by all possible means of exposure.

Below what threshold is a substance considered safe? There is assumed to be no non-zero dose which does not heighten one's risk of cancer.

If a substance causes cancer in humans at high doses, what does that tell us about low doses? Scientists simply take the high-dose data and draw a sloping line down to the smallest possible dose. Thus the risk is expected to be linear.

Rather than close the gap in scientific knowledge, the government construes the risk as broadly as possible in every instance. Exaggerated environmental risks then lead into exaggerated notions of legal liability. Here are some of the ones Superfund employs:

Joint and several liability: All parties with any tie to the site, no matter how remote, can be sued. In an infamous Boston case, a licensed vendor charged with disposing of waste from dental offices failed to dispose properly of "tooth amalgam"; he was hoping to mine it for trace amounts of silver. Instead, a toxic-waste site emerged. The offender provided false documents to the dentists claiming that the amalgam was lawfully stored. Later, the Federal Government sued several of the dentists to recover the clean-up costs; at least one of them went into bankruptcy court instead.

Retroactive liability: If, in the 1940s, a company stored waste using the best available technology and obeyed all laws up to the present date, it can still be sued for having violated 1995 safety standards back in the 1940s.

State versus federal liability: Since firms can be sued by both state governments and the Federal Government, companies are often reluctant to settle with one level of government and admit wrongdoing; it only opens them to liability with the other level of government. Result? Long and costly lawsuits and finger pointing.

Deep pockets and ricochet lawsuits: Superfund encourages firms to sue one another and their insurance companies to recover damages. These lawsuits ricochet across the economy and ensnare parties far removed from the alleged harm committed.

Superfund will expire at the end of 1995 if Congress does not re-authorize it. Though reforming Superfund is not per se part of the Contract with America, overhauling risk regulation is. After risk-regulation reform passed the House, Mike Oxley, the new chairman of the Commerce, Trade, and Hazardous Materials subcommittee of the Commerce Committee, announced hearings on Superfund. The fact that a moderate Republican like Oxley is enthusiastic about fixing Superfund is a good sign. Some Hill staffers are beginning to ask whether toxic-waste clean-up—an inherently local activity—is really a job for the feds in the first place.

After all, the states have a better record. Typically state clean-ups are faster (taking an average of three years) and cheaper (about a quarter of the federal price tag). Former Superfund Director J. Winston Porter believes that the states have been successful where Washington has failed because they have adopted reasonable clean-up standards, minimized the risks of a liability explosion, and ranked the risks of various sites.

Washington can't do everything and shouldn't try. If the Federal Government wants to fund research to replace faulty assumptions with scientific evidence, so much the better. It is time to give genuine federalism a try. —Richard Miniter

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threatened, Mrs. Abzug hopefully told *New York* magazine, "We should do much better. I mean, these men don't want to go around with shrinking penises." Expressing similar sentiments, Peter deFur, senior scientist with the Environmental Defense Fund, said (albeit before the November revolution), "I would predict Congress not only becomes more interested but takes more definitive action, including appropriations, now that it's male bodies that are affected in insidious ways."

Men *and* women are much more likely to be affected by a ban or sharp curtailment of synthetic chemicals than by the chemicals themselves. For instance, a ban on the industrial use of chlorine, an idea that Greenpeace advocates and that Environmental Protection Agency administrator Carol Browner has flirted with, would deprive Americans of the most effective protection against waterborne diseases. When Peru stopped chlorinating its water in the Eighties, on the basis of an EPA study that said chlorine could slightly increase cancer risk, an epidemic of cholera broke out that so far has afflicted more than 300,000 people and killed more than 3,500, according to *Nature* magazine.

The proven danger the new Congress must face is not shrinking sperm counts but chemophobes' fact-butchering, which, if left unchecked, could greatly diminish America's health, safety, and prosperity. □

In Search of a Permanent Majority

COURTING CATHOLICS

On the issues, Catholics ought to vote Republican—if only they and the GOP realize it.

KATE O'BEIRNE

RAYMOND Flynn, U.S. Ambassador to the Holy See, recently wrote to the National Conference of Catholic Bishops asserting Pope John Paul II's support for the Clinton Administration's welfare policies. The President himself will be visiting Northern Ireland before the year is out. These Democrats are responding to a political development that has escaped most Republicans: the Catholic vote is now up for grabs, and neither party can win the White House without it.

In Republican circles, where the important evangelical vote is much discussed, little attention has been paid to the fact that last fall, for the first time in history, a majority of Catholics voted for Republican congressional candidates. Representing up to 30 per cent of the national vote, Catholics historically have been a key part of the Democrats' base. But Jimmy Carter in 1976 was the last Democratic presidential candidate to win a majority of their support. Only 43 per cent of Catholics voted for Bill Clinton.

However, this disaffection has not carried over to local elections—until now. In 1992, 57 per cent of Catholics supported Democratic congressional candidates. But in 1994, 52 per cent supported the GOP, a rate higher than the national average.

William B. Prendergast, who is completing a book, *Catholics and the Republican Party, 1854–1992*, believes the swing last November is particularly significant because it happened in an off year, and therefore cannot be attributed to an attractive candidate at the top of the ticket, like Eisenhower in 1956, or Reagan in 1984.

Republican pollster Tony Fabrizio points out that Clinton's initially favorable rating among Catholics began evaporating as he increasingly appeared to be an old-fashioned liberal rather than a new-fangled Democrat. Fabrizio notes that on both cultural and economic issues, Catholics identify themselves as conservative rather than liberal by a 2 to 1 margin.

Fabrizio's partner, John McLaughlin, notes another factor in Clinton's sinking approval rating: Paula Jones. Last November Catholic women defected to Republican congressional candidates, the monogamy gap apparently trumping the gender gap.

In 1988, the Democrats finally abandoned even the pretense of caring about Catholic sensibilities when boilerplate language praising parochial schools and recognizing deep moral divisions on the abortion issue were dropped from the party platform. The Administration's alienation from Catholics has been noted by no less an authority than its own Vatican ambassador. A year ago Ray Flynn, who is now invoking the Pope in his caustic partisan remarks against the Republicans, was blasting his fellow Democrats for anti-Catholic bigotry. In a letter to the President, Flynn wrote that he was "embarrassed" by the "ugly anti-Catholic bias that is shown by prominent members of Congress and the Administration."

Still, Flynn will reportedly resign his post to head up "Catholics to Re-elect Clinton," in which post he will work to convince his co-religionists that an Administration that supports taxpayer-funded abortion on demand, opposes school choice, and appointed Catholic-basher Joycelyn Elders as surgeon general deserves their support. The alienation of Catholic voters could get worse just when poor Ray Flynn hopes to make it better. The UN Conference on Women this fall in Peking promises to be a repeat of last year's gathering in Cairo, which showcased the anti-Catholicism of the international Left, with Administration representatives on prominent display.

Despite these obstacles, however, if Republicans remain largely apathetic toward the Catholic vote, it is not at all certain that the Democrats will be unsuccessful.

Prendergast points out that the Catholic shift in November "was not due to any strenuous effort on the part of Republicans." He recalls that Catholics did abandon George Bush in 1992: Ross Perot got 20 per cent of the Catholic vote, and Prendergast doubts that Perot's share has become strongly bound to the GOP. This is underscored

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when one considers what a striking rejection of both Clinton and Bush the Perot Catholic vote represents: Catholics have historically supported third-party challenges at a far lower rate than non-Catholics.

The fact that the House Republican caucus has itself become more Catholic is also little remarked upon. Indeed, one observer wonders if Newt Gingrich realizes that the class of freshmen who put him in the Speaker's chair is disproportionately Catholic. Catholics now account for 24 per cent of the House Republican caucus, more than double the figure of 25 years ago.

Willfully Deaf Democrats

IN THE summer of 1976, Adam Walinsky, who had been one of Bobby Kennedy's legislative aides, wrote an impassioned memo pleading with Jimmy Carter to make a special appeal to ethnic Catholics. He worried that the party was going to make the same mistake it had with McGovern in 1972, when special-interest coalitions aligned against the remnants of the Al Smith party. "No sensible person," Walinsky told Carter, "could adopt the liberal positions on [quotas, crime, welfare, etc.]; these positions must be adopted solely to get votes." When asked this year what attention was paid to his warning, he laughs, "I don't think Carter ever stopped saying 'Eyetalian.'"

Where Walinsky once saw Democratic doom, two Irish-American veterans of Maryland precinct politics now see Republican opportunity. In a memo circulating in Washington, Joe Barrett and Bob Tobin detail the change in Catholics' voting patterns and highlight the issues and political language important to them. They warn that despite the welcome mat put out by Ronald Reagan, these voters still view the GOP with suspicion.

Barrett points to the GOP's history as a party dominated by upper-class Protestants. His succinct advice? "Stop sending Buffy into South Philadelphia to sell your candidates."

Looking at the '96 Republican field, Barrett thinks Bob Dole has some natural advantages, including his military record. Barrett reports that Dole's condemnation of the anti-Catholic movie *Priest* a few weeks ago was noticed by Catholic Democrats who are angry about anti-Catholicism.

Pat Buchanan's campaign aides see the Catholic vote as critical to his efforts and believe that he has a message on both economic and cultural issues that resonates with Catholics. However, one pro-life lobbyist notes, "Although Pat is one of the nicest men in politics, his public tone might be a problem, because Catholics are not an angry vote. It is important to stress compassion to this 'Judge Not' vote."

In general, Republican campaign operatives don't appear to be doing very much yet to follow the advice of Prendergast, Barrett, Tobin, et al. Little attention has been paid to marketing positions attractive to evangelical voters in ways that would also appeal to Catholics. Adam Walinsky reminds Republicans that ethnic Catholics are not reflexively anti-government. Reforms must highlight how they are intended to help people. Even the criticism of federal law enforcement could be heard differently by a Catholic audience if perceived as an unfair attack on the overwhelmingly Catholic FBI. But heightened awareness of Catholic sensibilities could translate into Catholic support for virtually the entire Republican agenda.

Millions of Catholic voters are looking for a political home. If Republicans convince them they've found it within the GOP, a permanent political realignment will have taken place. □

A Duty to Live? A Reply

DEATH, BE NOT PROUD

Is there really a right to suicide?
If so, is there a duty to assist in it?

ROBERT P. GEORGE & WILLIAM C. PORTH JR.

DARWIN had his Huxley. Dr. Jack Kevorkian has at long last found his in the person of Professor Ernest van den Haag. In the June 12 issue of this journal, Professor van den Haag champions not only a legal right to commit suicide, but a right to demand medical assistance in doing so, praising Kevorkian as a "rare and courageous exception" to the refusal of most doctors to extend such "help." Granted that Dr. Kevorkian at least manifests the courage of his convictions, are we ready to embrace his vision not only as an acceptable medical ethic but as the basis for a new legal entitlement that would play its part in shaping the future of American society? Van den Haag is clearly ready, but the rest of us would do well to reflect a little more carefully on the implications of a sweeping right to death.

According to van den Haag, our failure to recognize a legal right to suicide is a remnant of the sway of Christianity over Western society. He even asserts that, before Christianity, governments were "unconcerned with suicide," deeming it either expedient or honorable. As in the analogous case of the wildly inaccurate historical account of abortion law given by Justice Blackmun in *Roe* v. *Wade*, bad history paves the way for bad political philosophy and deplorable law.

Suicide has been condemned and proscribed in a wide array of societies throughout history. To cite only a couple of instances predating the birth of Christ, suicide has always stood under a general condemnation in Jewish law, and Aristotle, in Book V of *Nicomachean Ethics*, addresses why the state punishes a man who kills himself (not merely why the state *should* punish him, it must be stressed, but why it in fact *does*). The philosophical rejection of suicide has also been widespread, although not universal, and it has only sometimes been dependent on the precepts of revealed religion, Christian or otherwise. As Kant observed, "Suicide is not abominable because God forbids it; God forbids it because it is abominable." Are millennia of law, tradition, and moral reasoning as undeserving of

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regard and as easily dismissed as Professor van den Haag imagines?

Even the foundational instrument of American democracy would have to go. According to the Declaration of Independence, each of us is endowed by our Creator with certain inalienable rights, including, notably, the right to life. Ought Americans to continue to credit this teaching? We can't if we accept van den Haag's notion of a freely alienable right to life, under which people would have the right to kill themselves and, indeed, to authorize others to kill them. "From a secular viewpoint," he declares, "the moral right to die can hardly be less fundamental than the moral right to live." So much for the inalienable right to life.

What of the Declaration's acknowledgment of the role of the "Creator"? Van den Haag makes short work of Him by denying the legitimacy of legislating on the basis of religiously informed moral judgments. He treats the inalienability of the right to life as nothing more than an "unacknowledged residual theological notion which we have officially renounced imposing on non-believers." This same stricture, he argues, eliminates even natural-law arguments against suicide: "Once the government no longer recognizes God as the authority to which duties are owed, nature cannot have prescriptive authority to force unwilling persons to live, since it would have to come from God."

Here, of course, van den Haag courts self-defeat. Natural law is not some oppressive external edict. It is the product of human reason directed to the eternal question of what it means to flourish fully as human beings. Such moral reasoning is foundational to any consideration of human rights. Either van den Haag's argument undercuts all moral claims, including his own claim of a moral right to commit suicide, or it proves nothing. If he is prepared to embrace moral subjectivism or relativism as a consequence of what he takes to be our "renunciation" of imposing "theological notions" on non-believers, then he has no basis for arguing that society does anything wrong in imposing its views on non-believers or violating what he takes to be people's moral rights, including their alleged moral right to kill themselves. But if he eschews subjectivism and relativism, then he will need to adduce some ground of moral rights which survives his own strictures against appealing to divine or natural law. Moral libertarians have been pushing this boulder up the hill for a long time now; it keeps rolling back and crushing them.

In any event, to van den Haag it "seems irrefutable, if religion is disregarded," that people have a right to kill themselves. His intellectual case for this alleged "right to die" is simple: 1) people own themselves; 2) owners can dispose of their property as they see fit; 3) people are therefore entitled to kill themselves, and even to engage the help of others in doing so.

Can People Be Owned?

VAN DEN HAAG'S argument for the notoriously controversial proposition that individuals "own themselves" is that "without God (or slavery) no one else really could." Astonishingly, in view of its prominence in philosophical literature, the possibility seems not to have occurred to him that people are "owned" neither by themselves, nor by other people, nor (in any sense analogous to the human ownership of property) by God. People simply are not owned by anyone; nor, in any morally permissible way, can they be owned.

As subjects of moral rights and obligations, people are not chattels to be owned, traded, or disposed of as they or anyone else "sees fit." As *persons*, not merely *things*, human beings have intrinsic, not merely instrumental, value. Hence people possess a dignity to which rights attach that not even they have the moral authority to waive, i.e., *inalienable* rights.

In defending a right to commit suicide, van den Haag makes an implicit appeal to J. S. Mill's principle that people ought to be free to do as they please so long as they do not directly harm others. Mill himself, however, saw that his "harm principle" could not rationally be stretched to authorize people to "dispose of themselves as they see fit." For example, he famously denied that people have a moral right to sell themselves into slavery. Whatever is ultimately to be said for and against his philosophy of liberty, Mill stands with Jefferson, not van den Haag, on the question of inalienable rights.

Van den Haag's uncritical appeal to the idea of self-ownership renders his argument utterly unpersuasive. In fact, if people are the sorts of things that can be "owned" and "disposed of" as the owner "sees fit," then it is difficult to imagine what grounds could be given for believing that people have *moral* rights at all. And if people have no moral rights, then they cannot have what van den Haag calls the moral right to die. To treat the right to life as anything but inalienable ultimately undercuts all claims to moral rights.

Moreover, any theory of self-ownership, even one such as Locke's (which is far less imperialistic than van den Haag's), will have to identify the source of one's property interest in oneself. Mere "possession" cannot be enough. That provides no one with a morally compelling reason to refrain from, for example, seizing another and making him a slave. Obviously van den Haag cannot claim that God grants us title to ourselves; nor can he maintain that it derives from nature. Watch out, Professor, here comes that boulder!

The long and short of the matter is that van den Haag's argument for a moral right to die is anything but "irrefutable." It leaves untouched the most telling and—truth be told—the most obvious counterarguments, and rests on premises that eviscerate the moral force of the conclusions they are designed to support.

The shaky ground on which Profes-

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sor van den Haag constructs his right to suicide becomes no stabler when he moves to the right to assistance in committing suicide. Here he contends that physicians who refuse to honor their patients' requests for help in killing themselves "impose their own socially supported moral beliefs on patients who do not share them, but cannot act unaided." Such a physician, according to van den Haag, exercises a "veto" over the patient's decision. And "giving physicians (or any other person) the authority to veto a patient's decision seems unwarranted."

So, in the Brave New World of Professor van den Haag, doctors who dissent from the new moral orthodoxy are guilty of imposing their morality on others simply by declining to do what they believe is morally wrong. What would a moral libertarian propose for dealing with people who insist on imposing their morality on others? Fines? License suspension or revocation? Some even more severe sanction? Whatever the solution, it would presumably take the form of some species of coercion designed to force dissenting physicians to get with the moral-libertarian program.

To be fair, van den Haag does not stipulate that he would *require* doctors to assist in suicides. But his argument tends nowhere else, since he maintains that it is a violation of a patient's rights to withhold such assistance. Obviously, though, government compulsion of doctors to assist in suicides could only result in the vindication of one putative moral right (that of a patient to kill himself) at the direct expense of another (that of a doctor to refrain from performing or facilitating such a killing). We therefore face the high irony that the assisted-suicide agenda diminishes the humanity of both patients and doctors: the former by treating their lives as disposable things; the latter, by treating them as mere instruments to carry out the wishes of their patients.

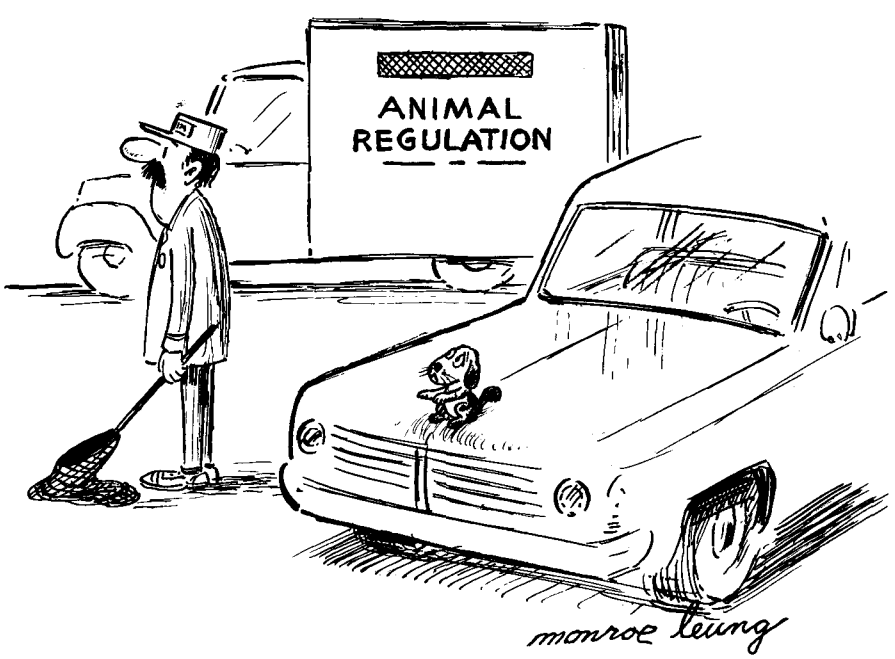
Part of van den Haag's error is his conception of the doctor's role. He sees it as essentially catering to the patient's desires. But there is no more reason to suppose that a doctor has a duty to gratify a patient's desire for death than that he has a duty to gratify his desire for the euphoria of addictive drugs. Physicians pledge themselves to promote human life and health. They have no right to *compel* a patient to act in service of those ends. But they themselves have a duty not to act against them. And they have a duty not to act except in accordance with their own expertise and professional judgment. Thus, a doctor should not infect a patient with a disease or amputate a healthy limb simply because an eccentric patient desires it. And if he should not do the lesser wrong of intentionally harming a patient's bodily well-being, he should not do the greater wrong of intentionally destroying a patient's life.

Curiously, van den Haag does not expressly discuss why he hits upon doctors as the persons whom society should select to carry out the task of assisting would-be suicides. Certainly physicians possess a comprehensive knowledge of the vulnerabilities of human bodies. But one does not need all the training of an engineer to be a saboteur or the skill of an anatomist to be a butcher. Indeed, there is something more than faintly unsettling about asking the preservers of life to play so prominent a role in destroying it, much as if a government bent on iconoclasm insisted that painters and sculptors take the lead in smashing the images on which they had labored. If society decides to recognize a right of assisted suicide, the simplest way of implementing it might be to expand the duties of the mortician. He is already adept at using the syringe to withdraw and inject fluids. With a modicum of additional training he could administer a fatal injection and then have the body right at hand for his customary ministrations. The efficiencies of such a scheme are obvious, and even the title of "mortician" seems singularly apt.

As a further argument, van den Haag proposes that failure to provide assistance in committing suicide "discriminates" against those who, because of paralysis or some other disability, cannot destroy themselves unaided. This is a truly bizarre notion. Simply because government cannot prevent some people from transgressing its laws does not require it to assist others in doing so. The same is true of such harmful and even immoral conduct as government prudently declines to criminalize. For example, an ordinary adult may choose to drink himself into oblivion in the privacy of his home; but it does not follow that we discriminate against a quadriplegic who may be similarly inclined when the government does not provide him with a helper to purchase and ply him with alcohol.

Next Steps?

PROFESSOR van den Haag's final effort is to rebut prudential concerns which might make a society wary of legalizing assisted suicide, even if it were persuaded of its theoretical justification. Such concerns are legion, but van den Haag addresses only a few. These fall into four basic



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categories: difficulties in ensuring the mental competence of a would-be suicide, necessary safeguards against undue influence being used to persuade someone to accept being killed, the need for substituted decision-making for the unconscious and the incompetent, and the fear that acceptance of assisted suicide will lead to worse things.

The question of mental competence, van den Haag would handle by empowering psychiatrists, "using their customary methods," to rule upon the sanity of a person who elects to have himself killed. But there is no need to keep the process simple; so he suggests that "reasonable opponents of suicide, religious or not, may be invited to participate," and the "whole process" may be videotaped in controversial cases. Although van den Haag does not discuss the prospect, when two or more psychiatrists disagree, one must assume that the whole circus would end up before the courts, even if the mechanism for the competency hearing was such that it did not begin there. Isn't that an attractive prospect to add to the dockets of a medico-legal system already filled with acrimony and overloaded to the breaking point?

With respect to the fear of undue influence , van den Haag is far less specific. He assures us that "safeguards have long been developed to make sure that a patient's decisions about his last will are uncontaminated" and these "can be used as well to ensure that his decision about assisted suicide is independent." Yet he doesn't indicate what safeguards he may have in mind. Since the chief safeguard against undue influence upon testators is the right to challenge their wills during the probate process, this particular safeguard might come a little late for the weak and elderly relative who has been overzealously persuaded to call for the lethal injection. The only timely safeguard would seem to be another pre-suicide hearing, at which a different set of experts and lawyers could explore the possibility of undue influence.

Perhaps we are too pessimistic about the proliferation of these hearings. Since there is a tendency for many professional services to gravitate to where they can be adequately compensated, maybe these proceedings would reach full flower only when a Mellon or a Rockefeller contemplated ending it all. In the case of the middle class, and especially the poor, it may be that these hearings would be perfunctory, if not absent altogether. Many "unimportant" people might pass through the hands of the suicide facilitators in a brisk and efficient fashion. Alas, this prospect offers us strangely little reassurance.

Van den Haag's third prudential concern is the need for a proper mechanism for substituted decision-making, so that the mentally impaired and the comatose will not be denied the benefits of assisted suicide. Such a mechanism would not be a novelty in American society. Since the withholding of nutrition and hydration has been allowed to be directed by relatives in many instances under the guise of declining "medical treatment" (see "Killing Grounds," *NR*, March 6), one could say that we already have experience with one strain of third-party election of assisted suicide. The results are not encouraging. Apart from the moral objections to allowing someone to decide to have someone else killed, the number of cases in which our medical experts have proved to be wrong in their predictions is alarming. Professor van den Haag assures us that he would allow third-party election of assisted suicide only when there is no chance of a patient regaining consciousness. The problem is that medical science seems incapable of making this judgment with anything even remotely approaching accuracy. As Wesley J. Smith reported in the aforementioned article, one study published in 1991 in the *Archives of Neurology* found that 58 per cent of patients with a "firm diagnosis" of being in a persistent vegetative state recovered consciousness within three years. Of course, such embarrassing statistics might tend to disappear if we were to embrace surrogate decision-making for assisted suicide, but this wouldn't mean that the errors would cease, only our painful consciousness of them. In this area, what would be an acceptable incidence of error? One per cent? One-tenth of one per cent? What would be a tolerable sacrifice for this questionable moral "progress"?

Slippery Slope

THIS brings us to a final area of prudential concern and the question perhaps most worth pondering: What sort of society would creation of a right to assisted suicide help us to become? Professor van den Haag is curtly dismissive of the notion that it would be likely to lead to moral deterioration and a slide from acceptance of suicide as a "rational" and legitimate choice to acceptance of "mercy killing" with or without the victim's consent and even to the disposal of those who desire to cling to life but whose desire is deemed selfish or irrational. But the slope becomes very slippery very fast as soon as a society begins acting on the proposition that some people are better off dead. We cannot forget that legalizing suicide means legitimizing the taking of an innocent human life, albeit one's own. And once a society has acknowledged as reasonable that there can be lives not worth living, and therefore rightly eliminated, only sentimentality stands in the way of embracing the concept of "*lebensunwertes Leben*"—"life unworthy of life."

We are well into our slide. Consider the widespread approval, discussed above, of depriving comatose patients of food and water. Consider recent proposals from the highest ranks of the American medical profession to allow harvesting of organs from anencephalic infants *before death*. Consider the even more "advanced" state of affairs in the Netherlands, where non-consensual euthanasia is common. Does all this appear to be anything but a perfectly logical progression? It is but a short step from judging that a person who is old, infirm, and in pain can rationally "choose death" to concluding that it is irrational for such a person to refuse to make that choice. As our population ages, government will face increased burdens in caring for the elderly. It is not unrealistic to fear that government may assume what began as a private prerogative, and move from making life-and-death decisions for the comatose, to making them for the insane, for the retarded, for those of less-than-average intelligence, and finally for those who are entirely rational and intelligent, but whose desire to cling to life brands them as obstinate, uncooperative, and just plain unreasonable. Are we then to rely on nothing but the heroism of individual doctors to restrain the abuses of government? If so, let us hope there are some "rare and courageous exceptions" among physicians of a rather different stripe from Dr. Jack Kevorkian. □

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THE VICE PRESIDENT
WASHINGTON

June 5, 1995

Dear Rusty,

It's been pretty crazy around the Gore household these days—the kids are out of school, Newt Gingrich is dismantling the Clean Water Act, the rain gutters need to be cleaned out . . . it's a busy time.

Sarah and Kristin are actively seeking summer jobs. You were kind to offer to have them spend the summer with you down on the Orinoco, classifying carrier ants, but after a long discussion, Tipper and I decided that it would be best if they both spent the summer closer to home.

The problem is that Little Al wants a summer job too—he's bored mowing the lawn and selling lemonade to his Secret Service detail—but he's too young for most jobs. The girls couldn't be less helpful. At every turn, they've accused Little Al of being part of the "oppressive male patriarchy" that has kept women out of all of the "really cool summer jobs."

I'm starting to wonder about the National Cathedral School, Rusty. At dinner tonight, when I told the girls that they couldn't spend the summer with you in Brazil, Kristin responded by going limp in protest (splashing sorrel soup on Tipper's grandmother's tablecloth) and Sarah began scribbling furious notes in her diary (which she has entitled: "Sarah: A Slave Narrative"). Tipper reprimanded Kristin, who replied that hand-rolled linen symbolizes an oppressive society that "infantilizes women." And when Little Al told Sarah that it's rude to write at the table, she shouted "You will not censor me!" and dashed out of the room.

I cleared the plates, made a pot of chamomile tea, and settled down to write you a letter. I had barely finished writing "Dear Rusty" when the phone rang. An emergency National Security meeting at the White House. Subject: Bosnia.

When I arrived, the Situation Room was crowded: Bill, Tony Lake, "Chris" Christopher, Strobe Talbott, and General Shalikashvili were missing, but Paul Begala, Ron Brown, Ron Brown's personal attorney (who, it turns out, is Johnnie Cochran—small world, no?), Stan Greenberg (the President's pollster), and a lot of interns were there.

"It's grim, isn't it?" I said.

"I'll say," Stan answered. "The carnage, the loss of life, the breakdown of civilized norms, and worse—the inaction from the government. We keep saying we're going to do something, but we never do."

Paul piped up. "Let's do something," he said. "Let's take off the gloves and get into the fight!"

"I agree," said Ron Brown. Cochran pulled him close and whispered in his ear for a moment or two. Then Ron cleared his throat and spoke again. "I refuse to either 'agree' or 'disagree' or comment further on these proceedings until the Special Prosecutor issues his report in full, at which time I will respond and in detailed terms."

"We have to do something," Stan said. "The situation is starting to look like Bosnia."

"Wait a minute," I said. "Aren't we talking about Bosnia?"

"No. We're talking about the Republican budget," Begala said.

"And its 57% approval rate," Stan added.

"The Bosnia thing is down the hall."

I ducked out of the room and headed down the hall. The minute I saw Strobe Talbott talking to Wolf Blitzer, Michael Kramer, R. W. Apple, Brit Hume, Lesley Stahl, Joe Klein, Morton Kondracke, Sidney Blumenthal, and Leon Wieseltier, I knew I was in the right place. I made my way through the throng of people. "I predicted this, you know," was all I heard Strobe say before I entered the room.

"Hi, Al," Bill said.

"Sorry I'm late," I said as I took my seat.

"That's okay," Bill shrugged. "We just decided to commit ground troops."

"We did?" Leon Panetta asked.

"We did?" General Shalikashvili asked.

"Didn't we?" asked Bill.

"If I may, Mr. President," began "Chris" Christopher, "I'd like to clarify and perhaps summarize the sense of today's meeting by clasping my hands like so—" Chris folded his hands into a little steeple "—and by looking very concerned indeed."

As usual, we were all impressed by Chris's ability to get to the heart of the matter. The ground-troops option was tabled for the moment, and in its place, finger-steepling and concerned-looking. I think we've finally licked this thing!

At that moment, Strobe Talbott poked his head into the room and asked us politely if we'd mind moving—apparently, he had the room booked for a meeting with his biographers. So we hustled out.

This is all Top Secret—I know I can trust you to be discreet. Plus, by the time you read this, I have a feeling we'll have a new Bosnia policy. Or two.

Your pal, Al

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help

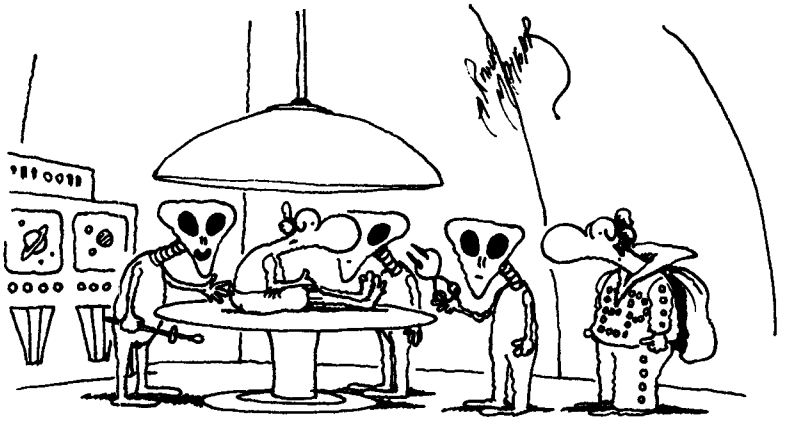
The Democrats Respond

Some hoot and holler in the style
Of monkeys at a crocodile,
While others imitate the croc,
With gaping gums, which is a shock,
But Kasich and Domenici
Keep trucking for the GOP.

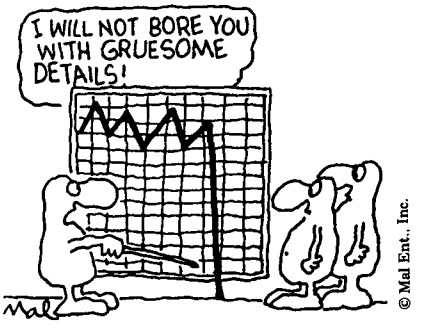
W. H. VON DREELE

LEPRECHAUN PRACTICAL JOKES: THE OL' SMILIN' GOLF BALL TRICK.

"Please stop. It's like you're Charlie Rose and I'm a Pulitzer Prize winner."



"We will conduct the examination, Elvis is only here to observe."



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THE COMEBACK KID.....1997

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Say Amen

JOHN J. DiIULIO JR.

IN AMERICA, traditional family life and religious attachments plus economic hustle and civil rights equal material well-being and social progress. Black Americans are no exception to the rule. Today most blacks inhabit neither the Other America of relentless rural poverty nor the underclass America of inner-city ills. Look at almost any statistical portrait you wish and the positive results of the ongoing middle-classification of black America will look back at you.

Before the Second World War, about 5 per cent of blacks had a middle-class income. Today it's 60 per cent. Three-fourths of the 24.5 million blacks who live in metropolitan areas do *not* live in census tracts where 40 per cent or more of the resident population is below the poverty line.

Or take scholastic achievement. Over the last few decades, black illiteracy has nearly vanished. Black public-school students have made modest but steady progress as measured by average scores on several national standardized tests and by high-school completion rates. Between 1982 and 1992, the fraction of black high-school students enrolled in chemistry courses more than doubled, to 46 per cent; the fraction that took physics nearly tripled, to 18 per cent; and the fraction that studied calculus almost quintupled, to 7 per cent. Across the board, a somewhat higher fraction of whites than blacks took the toughest courses; but in each case the percentage of blacks who took them in 1992 was higher than the percentage of whites who did so in 1982.

Masters of the Dream: The Strength and Betrayal of Black America, by Alan L. Keyes (Morrow, 414 pp., $23)

One by One from the Inside Out: Essays and Reviews on Race and Responsibility in America, by Glenn C. Loury (Free Press, 324 pp., $24.95)

Still, there remain deep problems within the black community. Glenn Loury and Alan Keyes are well-known, Harvard-educated black intellectuals. Loury, formerly a professor at Harvard's Kennedy School, is a top-flight academic economist at Boston University. Keyes, a past president of Alabama A&M University, is a popular talk-show host and Republican presidential hopeful.

Bonnie Gardner

Their respective books on the condition of black America have much in common. Both men write about black America in a way that is analytically precise yet morally passionate, highly personal yet intellectually profound. Both men identify spirituality as the key to black success and the loss of Christ-centered family life as the road to black ruin. Neither suffers gladly liberal elites who persist in peddling the view that white racism explains all. But each reserves some of his harshest words for prominent conservatives whose views on black America betray (as Keyes puts it) "an appalling combination of bias, ignorance, and flawed reasoning," or who advance (in Loury's rendering) "the crudest racial generalization."

These are two of the best, most honest, most moving books about the American dilemma published since Martin Luther King Jr. stirred the nation with his dream. Five reflective pages of Loury's book are better than fifty typical "scientific" studies by policy scholars. The endnote commentary in Keyes's book (my favorite instance: black elites who push poor black mothers to have abortions turn "the logic of economic determinism from a justification for slavery into an argument for self-inflicted genocide") rings truer and burns hotter than a whole Jesse Jackson speech.

Loury believes American "society is fundamentally racialist," a word he prefers to "the more condemnatory and less informative term *racist*." It's 1995, yet white–black intermarriage rates remain low, residential segregation is still the norm, and "racial distinctions" condition "whom we befriend, whom we embrace." Of course, he's right. On the one hand, most Americans (65 per cent) now accept interracial dating as legitimate (unthinkable even a generation ago), flat-out worship Michael Jordan, and would love a chance to vote for Colin Powell. On the other hand, many whites hear "AFDC" and picture black welfare queens, hear "affirmative action" and think us-against-them.

I hereby nominate Loury as referee of our national debate over affirmative action. No one understands the economics of the issue better. And no one is more forthright in recognizing that preferential treatment often results in "the patronization of black workers or students," meaning "behavior that does not hold blacks to the same standard of expected accomplishment as whites, because of the belief that blacks are not as capable."

But Loury stresses that neither the perverse consequences of preferential treatment, nor the facts about crime, nor the data on the white–black IQ gap furnish any intellectual or moral excuse for ignoring the degree to which poverty and other ills remain concen-

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trated among disadvantaged blacks. In particular, if you're a conservative who eschews "a more complete social integration than has yet been achieved," or would be content simply to forget, blame, or cast off "those who now languish at the bottom of American society," then you need to hear the gospel according to Glenn.

Compared to Loury, Keyes is more the preacher than the professor, and what he preaches to blacks is the good news: "Our common identity owes much to our shared experience of oppression, but it owes much more to the moral and spiritual resources that made it possible to survive in spite of it." But the black community, he argues, has had its spiritual resources squandered by liberal elites, including elite blacks who continue to support "the federalization of the black agenda" and to "shill for ineffective, but politically salient, national programs" in return for "rich rewards from white power holders."

Keyes emphasizes that it's spirituality, not material incentives, that has mattered most in the history of black America. Despite apartheid-like segregation laws and crushing poverty, black families of the pre–civil-rights era prayed together and stayed together. None of the pathologies of present-day inner-city life afflicted them because they "lived up to the standards suggested by their faith."

"The black church," observes Keyes, "is the spiritual storehouse of the black multitudes." Social scientists, he asserts, have ignored or denied "the church's moral influence or integrity," not only because of their secular ideology but because of their quantitative methodology. Loury, too, expresses deep doubts about whether "the academic endeavor generously termed social science" is at all capable of addressing "in a satisfactory manner the most fundamental social problems."

Amen. But don't forget the small but growing body of religion-friendly, community-oriented social science. For example, a recent study found that, even after controlling for all relevant individual characteristics, youths whose *neighbors* attend church are more likely to find a job, less likely to use drugs, and less apt to commit crime.

In addition to his spiritual call to arms, Keyes wants each black community to "elect a neighborhood council, or governing body, which would be empowered to pass ordinances concerning the peace, order, and welfare of the neighborhood." For example, "society could require that any parole be contingent on the willingness of the offender's neighborhood council to accept custody of the parolee," and the council could revoke parole if in its view the "offender has again become a threat to decency and order in the neighborhood." I would vote for the plan tomorrow. But even as a visionary statement, it is a bit too sketchy. And even as a man of faith, Keyes must sense that political and other barriers make it close to impossible.

At points, both Keyes and Loury are carried away from harsh realities by their own lofty hopes, righteous rhetoric, personal revelations, and spiritual enthusiasm. Neither, for example, squarely confronts the fact that black males aged 14 to 17 constitute less than 0.5 per cent of the population but commit 8 per cent of all murders. Neither reckons adequately with the social implications of the 25 to 30 per cent increase in this population that will occur between now and the year 2005. And neither is totally frank in admitting that about all that's left of the "black community" in some pockets of urban America is deviant, delinquent, and criminal adults surrounded by severely abused and neglected children, virtually all of whom were born out of wedlock.

A troubling thought occurred to me

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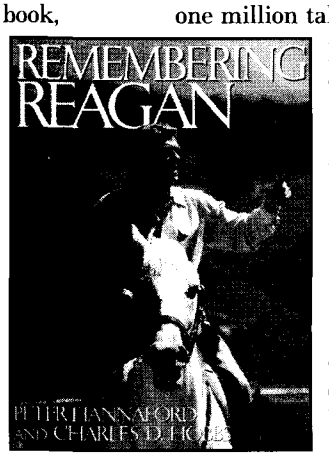

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as I put down these two wonderful books. It's that their spiritual message could be reflexively rejected—and rightly rejected—not only by the morally corrupt elite liberal establishment, black and white, but by inner-city black Americans and especially by inner-city black teenagers.

"Human beings," writes Loury, "are spiritual creatures; we have souls; we have free will." But does the exercise of "free will" explain why thousands of young black males are rotting in New Jersey's prisons while thousands of affluent young whites are studying at Princeton University? I do not know precisely how or whether bad homes, bad genes, or bad incentives figure in predatory criminal behavior. But am I really to ask the members of the nearly all-black lifers' group at East Jersey State Prison to believe that, when all is said and done, they are where they are because they have bad souls? Am I to encourage my Princeton students to believe that, in the end, we live in a world of race-based inequalities in which, nonetheless, people get what they deserve?

Likewise, can anyone expect black urban gangsters such as the Bloods and the Crips to heed the Bible-thumping message of brother Keyes? These super-violent teens are the real-life descendants of the fictional Bigger Thomas immortalized in Richard Wright's 1940 novel *Native Son*. In one of the novel's most gripping passages, Bigger, who awaits the executioner for murdering two girls, one white, the other black, is visited in jail by his mother's preacher. "Fergit ever'thing but yo' soul, son," the preacher counsels Bigger. "Gawd looks past yo' skin 'n' inter yo' soul. He's lookin' at the only parta yuh tha's His. He wants yuh 'n' he loves yuh. Give yo'se'f t'Im, son." The preacher offers Bigger a cross, which the manchild accepts to please his mother and pacify the preacher. But later, an enraged Bigger snatches the cross from his own throat.

"I can die without a cross!" Bigger tells his shocked white guards, "I ain't got no soul!"

Post–civil-rights-era black America is truly this country's greatest success story. But whether there is anything that can be done to save the treasure and prevent the terror of America's black inner-city children, to reduce inner-city rates of illegitimate birth, crime, substance abuse, and poverty, God only knows. □

Liberal Meltdown

JOHN GRAY

ALAN RYAN tells us in the preface to this book that he began it not long after he moved to Princeton University and finished a book on the politics of Bertrand Russell—a time at which "it seemed plausible to explore Dewey's place in a secular trinity of liberal intellectuals consisting of Mill, Russell, and him." This is not a very promising beginning to a book of which it would be unfair, but at the same time not entirely untrue, to say that it exhibits several of the defects of its subject.

John Dewey's thought, as Ryan ably expounds it, was animated by a passion for intellectual reconciliation, which led Dewey to soften or blur distinctions that produced decisive contrasts and conflicts even in the thought of other liberal intellectuals. Such was the distinction between science and religion in the thought of Bertrand Russell, who always maintained that the scientific outlook undermined the hopes expressed by religion. For Russell, unlike Dewey, religious faith was real enough for its absence to be perceived as a loss. Indeed, Russell was liable throughout his long life to episodes of despair about the human lot that he himself accounted for, in part, by reference to his "vain search for God." It is difficult to think of a sharper contrast or conflict between liberal intellectuals than between Russell and Dewey, whose pursuit of moral uplift eventuated in a faith in democracy and the common man that Russell never shared, and whose lifelong pragmatist project of making science and religion collaborators in a common enterprise of world improvement Russell heartily despised.

John Dewey and the High Tide of American Liberalism, by Alan Ryan (Norton, 416 pp., $30)

Ryan's careful, comprehensive, and learned study does not altogether pass over these differences, but it tends to dull or blunt them by its uncritical assumption of a common humanist project of which Russell and Dewey were merely different exemplars. This prevents any investigation of the fascinating and complex subject of the relations of liberalism with Christianity—in particular, of the ways in which liberals of Dewey's stripe thought they were free to inherit Christianity's large moral hopes for the human species without accepting any element of its transcendental faith.

In this Ryan is all too like Dewey and his followers, and unlike Russell, who found faith in democracy and the common man even more unreasonable than faith in God, on the ground that we know so much more about the former, and what we know does not conduce to faith.

This was, after all, the substance of Walter Lippmann's criticism of democratic public opinion, to which Dewey took such violent exception that he was moved to attack it not once but twice. It is impossible not to see in Lippmann the true spirit of objectivity and empirical openness about democracy, which Dewey's work signally lacks. Unfortunately, subsequent American thought —conservative no less than liberal— has followed Dewey rather than Lippmann in its valuation of democracy as an article of humanist faith rather than an expedient political device.

It would be unfair to suggest that Ryan is altogether uncritical of Dewey. He often takes Dewey to task for his vague affirmations of an eventual convergence between social control and individual liberty and an ultimate harmony between man and nature; and, in fact, when Ryan defends Dewey, the reader has the sense that his heart is not in it. As an apologia for the relevance of Dewey's thought to our own dilemmas the book is extraordinarily unpersuasive. It is a useful contribution to American intellectual history, fusing a sensitive appreciation of the cultural milieu in which Dewey's thought was incubated with a highly professional grip on the state of philosophy in Britain and America during the early decades of this century, but

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Ryan's seeming conviction of the staying power of Dewey's thought is not transmitted to the reader.

The abiding question suggested by this book—a question Ryan's account of its inception does not satisfactorily answer—is, Why was it written? In the utterly different, but almost equally remote, historical circumstances of the Thirties and the Cold War, it was possible for Sidney Hook to appropriate Dewey's ideas for his own pragmatic purposes; it is thoroughly unclear that they can have any similar utility for anyone in our circumstances.

The oddity of Ryan's book—in which, however, it is entirely typical of a certain kind of transatlantic liberalism—is that it exhibits a well-developed awareness of those features of late-twentieth-century experience which most confound liberal expectations, such as the renaissance of ethnic particularisms and the rise of fundamentalist movements, without at any point daring to revise, or even to question, the liberal philosophy which supports those expectations. It does not seem to have occurred to Ryan to ask whether these developments might warrant amending the philosophical anthropology, or the philosophy of history, that underpins liberalism even in Dewey's naturalistic and Hegelian reformulation of it. Is it too harsh to suggest that, in this way, Ryan is closer to Dewey than he is to Russell?

Dewey's legacy to American culture is a species of edifying discourse, now all but ubiquitous, which inhibits the asking of hard questions about liberalism. That edification and questioning were not always contraries is shown by the splendid example of William James, who sadly receives only passing mention in Ryan's book, and who—unlike Dewey—did not take liberal morality as an unexamined postulate of his thought.

Nor did William James's style reflect, as Dewey's did, the effort of melting down hard distinctions into a mess of indeterminate idealism. William James could not, I think, have written this passage on education, which Ryan quotes with apparent approval:

> . . . the individual who is to be educated is a social individual, and . . . society is an organic union of individuals. If we eliminate the social factor from the child we are left only with an abstraction; if we eliminate the individual factor from society, we are left only with an inert and lifeless mass. Education, therefore, must begin with a psychological insight into the child's capacities, interests, and habits. It must be controlled at every point by reference to these same considerations. These powers, interests, and habits must be continually interpreted—we must know what they mean. They must be translated into terms of their social equivalents—into terms of what they are capable of in the way of social service.

To which one can only reply: If this is edification, give us cynicism instead. □

Too Cute for Words

JAMES BOWMAN

IF ANNE Tyler has a fault, it is a tendency to cuteness. Usually this is kept in check by a clear-sighted view of the pain that lies just over the horizon for her placid and decent Middle American characters. But in *Ladder of Years* she is like Delia Grinstead, her middle-aged heroine, who is tempted by a good-looking young man she meets in a supermarket: she flirts shamelessly with cuteness without ever quite committing herself to an affair. But, like Delia too, she goes right to the brink.

Nowhere but in an Anne Tyler novel could there be a town called Bay Borough, Maryland, with a plaque in the square saying: "On This Spot, In August 1863, George Pendle Bay, A Union Soldier Encamped Overnight With His Company, Dreamed That A Mighty Angel Appeared To Him And Said, 'Ye Are Sitting In The Barber's Chair Of Infinity' Which He Interpreted As Instruction To Absent Himself From The Remainder Of The War And Stay On To Found This Township." When Delia, fed up with being taken for granted, walks out on her husband and three grown children, we know Bay Borough is the place for her.

Ladder of Years, by Anne Tyler (Knopf, 326 pp., $24)

Likewise, we know what it means when she sees a classified ad in the newspaper (called, cutely, the *Bugle*) for someone to help a single father

> w/lively, bright, engaging 12-yr-old son. Must be willing to wake boy in A.M., serve breakfast, see off to school, do light cleaning/errands/shopping, assist w/homework, provide transportation to dentist/doctor/grandfather/playmates, attend athletic meets & cheer appropriate team, host groups of 11–13 yr olds, cook supper, show enthusiasm for TV sports programs/computer games/paperback war novels, be available nights for bad dreams/illness.

Such an ad could appear only in an Anne Tyler novel, and it could be answered only by an Anne Tyler heroine.

The irony of her leaving her own family in order to accept paid employment with someone else's is not lost upon Delia. Moreover, the man who placed the ad, Mr. Miller, needs a new mother for his son, Noah, because *his* wife left *him*. One day she found a lump on her breast. "In the time that I have left to me," she told her husband, "I want to make the very best of my life. I want to do exactly what I've dreamed of." So she became a TV weather lady. The lump turned out to be benign.

This part of the story, too, has the patented Anne Tyler cuteness, but it has the virtue of being functional, since it adds another dimension to the theme of women who leave their homes. Ellie, the weather lady, becomes Delia's double and says things that sound just like her: "I'm not myself these days. You hear people say that all the time, but up till now I'd assumed it was a figure of speech. Now I stand off to one side looking at myself like a whole other person, and I ask, 'What could she be *thinking of*?'" When she tries to explain why it is that she left her husband, she says, "I started picturing how I'd get to Heaven and God would say, 'Such a waste; I sent you into the world and you didn't even make use of it, just sat there in one spot complaining you were bored.' So I walked out."

It is one of Anne Tyler's great virtues as a novelist that she does not judge her characters, but even Anne Tyler, I'm afraid, is not up to the task of convincing us that leaving a husband and son to become a TV weather lady and thus to justify one's existence

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in the eyes of God is the act of anything but a deeply silly woman. And Ellie's silliness reflects back badly on Delia, who otherwise would stand a better chance of winning our sympathy for her own desertion. In the end, the novel suffers fatally from the fact that her desertion is really the only interesting thing about her. It is not enough.

With her husband, Sam, with Mr. Miller, and even with the young man in the supermarket, she is always ready to receive the impression of some more dominant personality, and act a wifely part. The fact that her family is not even sure what color her eyes are is meant to be an indication of their coldness and lack of interest in her, but their indifference is partly the product of her own indefiniteness. Like so many of Miss Tyler's characters, there is an elusive quality to Delia, a sense that she will forever be looking for the character she means to enact, rather than, like most of us, enacting it.

This is not necessarily a bad thing in itself, and it is to Delia's credit that she has a certain sense of irony and self-detachment. When she cashes her first paycheck in Bay Borough—the first paycheck of her life, really—"She carried her head high and set her feet down with precision. She might have been the heroine in some play or movie. And her intended audience, of course, was Sam." But not enough is made of this self-awareness, and her inner life is too random and unfocused. It is all right to have a merely instinctive heroine, but then the author has to show us what the heroine's own thoughts and words are incapable of showing.

We know, for instance, that Delia reads a book a day—many classics, some trashy romances. But she might be reading the newspaper or the Bible or the Marquis de Sade—or filing her nails—for all the impression that they make on her. She left home partly because one week's messages on her answering machine could as easily have been another's; but even in her supposed independence she slips back into old routines, finding herself a year later at the same beach reading the same novel as she was when she walked out on Sam.

This would be fine if the intention were satirical, but Anne Tyler is not a satirist. Her specialty is compassion and understanding, and in her greatest novels these qualities are displayed on something like a heroic scale. But in *Ladder of Years* they are stretched too thin. Delia sits up in bed late one night listening to jazz on the radio.

> Lots of lonesome clarinets and plinkety-plonk pianos, and after every piece the announcer stated the place it was recorded and the date. A New York bar on an August night in 1955. A hotel in Chicago, New Year's Eve, 1949. Delia wondered how humans could bear to live in a world where the passage of time held so much power.

They can bear it because they *have* to bear it. It's the "human" condition. And, by the way, Delia's one too.

If you are going to try to evoke pathos, you should try it with something a little more specific than the universal lot of mankind. Otherwise you fall into glibness and sentimentality and, well, cuteness. It's like feeling sorry for someone because she has only ten fingers and ten toes. Anne Tyler has been seduced by her own generosity of spirit into taking on too banal a subject, unworthy of her powers. But her powers are still great, and they make even this book never less than readable. □

LOOKING BACK

Strauss and the Religion of Reason

HADLEY ARKES

HE WAS a small man, with a small voice; in fact, he had to be fitted with a small microphone so that his voice could be heard from the well of the large lecture room. His students seemed to be cast as gentle, solicitous giants, helping to fit him with the cord and microphone. He would be attached then to a tape recorder, which would take down everything said in the next hours. In fussing over him, his students would look like nothing so much as sons. Every gesture implied a reverence for the father they were attending, who was not of course adept at handling mechanical things, like microphones. The one device he would handle, however, was his cigarette holder. He would fix the cigarette in the holder, and occasionally he would pause in his exploration of a text as he took a long draw on the mouthpiece. The interruption seemed to mark a deeper pause, to prolong his meditation on the passage in the text, and so it worked, overall, to enhance the effect. It also introduced accents of silence, set off against that slight voice, from the small frame, moving slowly, in a talmudic style, line by line, to extract from the text every shade of meaning and intention.

That was how Leo Strauss appeared on the first day I saw him, at the University of Chicago. I was 22, a first-year graduate student, and he was a legend to be fathomed. He had come to America as a refugee from Hitler's Germany. When the Nazis took power, Strauss was in Paris, on a grant, working on medieval Jewish and Islamic philosophy. He had come from an observant Jewish family, and his first book was on *Spinoza's Critique of Religion*. The themes contained in that book would move him along several paths. One led to Hobbes and the problem of natural rights; others to Zionism and Jewish philosophy. In 1938 he managed to gain an appointment to the New School for Social Research, where he remained until he was drawn to the University of Chicago in 1949.

What seems striking, in retrospect, is that the oddities or contrasts that were evident at once to me as an uninstructed youth could still mark the dominant lines of the reaction to Strauss more than thirty years later: How was it that this small, unprepossessing man should set off such large passions, and arouse such fierce hatred, in the academy? Of course the answer in brief—and in full—was that he set himself against the moral relativism of the age.

His devoted student Harry Jaffa has written that Strauss's distinct mission was to restore both reason and revelation against the tendency of modern science to deny them both. Against the insistence of social science that moral propositions cannot be knowable in the way that scientific propositions are, Strauss sought to restore the convic-

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tion that we can indeed have rational knowledge of right and wrong. And against that tendency in modernity to proclaim that God was dead, Strauss sought to reassert the tradition of revelation. There were two strands of ancient wisdom that moved him to return to the classics, to the beginning of political philosophy in Plato and Aristotle, and to the ancient sources of law as they could be found in the Hebrew Bible. Against the claims of modernity, he would return to Athens and Jerusalem.

That he would be taken as the adversary of modern relativism, and its political doctrines, should occasion no surprise. It would be a matter merely of truth in labeling. What is remarkable is the kind of unmeasured attack he was able to inspire only recently, on the part of a young writer in the *New York Times* at the end of November, after the conservative victory at the polls. Strauss was caricatured as "unapologetically elitist and anti-democratic," as a philosopher hostile to the "Enlightenment presumption that all men are created equal." He was described as deeply resistant to all change, a man who regarded "the status quo as an expression of divine will." Strauss seemed to be tagged with responsibility for every retrograde sentiment that liberals attach to conservative militancy. Students of Strauss wondered just where, in Strauss's writing, one might find support for any of these positions attributed to him. I do not recall any passage in which Strauss sought to summon a resistance to any change in our legal arrangements or social policies. For that matter, it would be hard to find any passage in Strauss dealing with *any* current issue in our politics.

But most bizarre of all is the attack on Strauss for being an enemy of the Declaration of Independence. Strauss's most important book, *Natural Right and History*, begins with the Declaration, precisely because the Declaration reflected an older tradition that spoke seriously of moral "truths" grounded in the nature of human beings. For Strauss, the Declaration marked an understanding, on the part of the American Founders, that connected them to the classics and to the Biblical tradition. To speak, after all, of universal and enduring truths was to recall a Lawgiver, a universal God, who was the author of a universal moral law.

These things would be known instantly to anyone who had the remotest acquaintance with the writings of Strauss and his students. The writer in the *Times* had been liberated from any encumbrances of that kind.

But why a need to sound the alarm now, more than twenty years after the death of Strauss? The most gifted students of Strauss's students, his academic grandchildren, have been blocked out of the most prestigious universities, by a system of political screening as forbidding as any blacklist. The influence of Strauss in the academy has never seemed to be at lower ebb. And yet, what sets off the alarms now is that Strauss and his followers have affected the understanding, and the furnishings of mind, of the conservatives who have been taking power of late.

There have been students of Straussians, like William Kristol and Paul Wolfowitz, and others who had themselves studied with Strauss, like Michael Uhlmann and Angelo Codevilla, who have put their impress on policy through their posts in the government. There are others, like Clarence Thomas, who have studied political theory with Straussian friends. But then there is the deeper problem, which dare not speak its name: the Straussians may supply a direction to Republican leaders precisely because the teachings of Strauss are far more in accord with the sentiments of that broad public which has brought forth now a conservative majority. Strauss recognized, with the classics, that the "multitude," the people at large, are not philosophers. But he appreciated Machiavelli's sense that the people at large are conservative in their reflexes. They have an attachment to the things that are familiar and ancestral; and at the same time most people, anchored in the world, are not moral relativists.

Beyond that, those moral sentiments of the public gain a further support from the fact that most Americans are religious. Whose teachings, then, are the American people likely to find more resonant with their own beliefs? The teachings of Strauss, or the doctrines of those liberals and postmodernists in the academy who hold that God is dead, that there is no "nature" or truths about nature, including the nature that distinguishes men from women, and sexuality from homosexuality? Hence the irony that may function now as political camouflage: no one is more contemptuous of the public, of its intelligence, its piety, its moral and political reflexes, than the liberals now dominant in the academy. Liberal critics accuse Strauss of the heresy of elitism, of aversion to the multitude, and yet Straussians would be far more likely than their liberal adversaries to affirm Bill Buckley's maxim: Straussians *know* that they would rather be ruled by the first two hundred names in the Boston telephone directory than by the faculty of Harvard.

But how comes it that a young man safely insulated from any knowledge of Strauss's writing should nevertheless deliver such emphatic judgments on the meaning of Strauss's work? Literary detectives who cast their eyes about might notice a striking similarity between the diatribe leveled at Strauss and the charges that are developed at length by Professor Stephen Holmes of the University of Chicago in his recent book, *The Anatomy of Antiliberalism*.

Apart from the charges echoed in the *New York Times*, Holmes adds the sting of another. Behind the close reading of the Bible and the intense study of Maimonides, Holmes finds more than the evidence of doubt, or of a philosopher caught between Athens and Jerusalem. Without any direct personal knowledge of Strauss, Holmes is nevertheless sure enough to declare that Strauss was, in plain truth, an atheist. But more than that, a man with "a total cynicism about religion." Without a trace of equivocation, he attributes to Strauss this sentiment: "that most people are not merely inferior to the philosophical supermen. Their lives are utterly valueless and unjustifiable unless they serve to make philosophers more comfortable and se-

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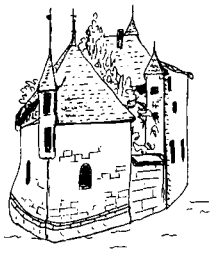
cure." This audacious, mean sentiment he is willing to ascribe without the aid of a single citation to anything in the writings of Strauss that could justify this attribution. And yet, this challenge to produce the source would be treated by Holmes as disingenuous: For after all, did Strauss himself not teach about the art of "writing between the lines"?



Parts of Strauss's teaching were indeed held back or concealed in layers of reticence and indirection. In the style he described in *Persecution and the Art of Writing Between the Lines*, the writer who seeks to mask a subtle or complicated teaching may use the device of writing things that appear, on the surface, to be plainly contradictory. The more discerning reader will spot the contradiction, and take it as a signal by the writer to look more closely. At the center of *Natural Right and History*, Strauss remarks on some rather harsh, inconvenient truths that it will be hard for a democracy to acknowledge—namely, that it may require methods not strictly in accord with the rules of constitutionalism to deal with the most "unscrupulous and savage" enemies of free government. But then Strauss quickly adds, in a telling passage, "Let us leave these sad exigencies covered with the veil with which they are justly covered."

What part of his own teaching did Strauss conceal from public view with the deft placing of veils? It is a curious, revealing sign that critics such as Stephen Holmes notice this caution in writing, and then leap to the inference of a dark purpose that cannot be expressed. Yet they do not seem to consider the possibility that this holding back on the part of Strauss may reflect what was called, in the Declaration of Independence, a "decent respect for the opinions of mankind." Rather than showing a contempt for the public, this reserve on the part of a philosopher may reflect a proper caution about the things that philosophers may claim to know. There are many subtleties packed into the words "All men are created equal," but as Mr. Strauss seemed to understand, it was not prudent for the philosopher to inquire with a merciless honesty into the doubtful assumptions tucked away in that proposition, the proposition that Lincoln described as the father of all principles among us. A philosopher who saw the world rightly could never seriously hold that all men were born with equal aptitude, say, for brain surgery, for physics or philosophy. Nor could he say that everyone was born with equal aptitude for rendering justice or reasoning about matters of right and wrong. But as Strauss wrote, even the best of societies may be sustained with conventions that will not withstand a rigorous examination. The philosopher plays with a kind of political dynamite if he takes the risk of dislodging people from the wholesome prejudices, or the useful conventions, that support their own freedom.

The philosopher does no violence to his calling when he begins with a decent respect for common opinion, for there are also many things in Heaven and earth that the philosophers may only dimly suspect. In "Liberal Education and Responsibility," Strauss reflected on the hubris of those writers, in the nineteenth century, who fancied that education would take the place of religion and morality. Strauss condensed the argument to a few examples that were sufficient in themselves to disappoint the claim: "Karl Marx, the father of Communism, and Friedrich Nietzsche, the stepgrandfather of fascism, were liberally educated on a level to which we cannot even hope to aspire." The lesson drawn by Strauss was "that wisdom cannot be separated from moderation and hence . . . wisdom requires unhesitating loyalty to a decent constitution and even to the cause of constitutionalism."

The American republic was the example, par excellence, of that moderate regime enhanced by a decent constitution. And among the things that made the American republic new under the sun was that it was the first regime, in a civilized country, in which Jews and Christians could meet on the plane of a common citizenship. But Christians and Jews could share that ground of citizenship only if there was nothing in the laws that favored Christianity over Judaism. Indeed, the laws would have to be purged of any traces that might accord to Christianity, or to religion, a pre-eminent respect.

Under the terms of this political settlement, there would be tolerance for religion, but religion would be radically diminished in its standing. Strauss understood with a penetrating gravity just what was taking place here in the creation of a liberal democracy, for the alternatives had been crystallized sharply by Spinoza: the ground of the law, and of a common citizenship, would not be found in revelation or religion, but in a universal, "rational morality." But under these conditions, Jewish life could not be the same because Jewish "law" would no longer be law in the strictest sense. The Mosaic law might be followed among Jews, but it would no longer be what it was—not merely a code for all of those who attached themselves to Judaism, but a doctrine that could be imposed with the authority of law. By the logic of liberal democracy, the Mosaic law had to be displaced, decisively, as a governing doctrine. But what was held out to Jews now was the blessing of liberal society, a society in which "Jews and Christians can be equal members."

Strauss would never conceal from himself, in a benign haze, just what was being denigrated or lost in this arrangement of the modern, liberal regime. Still, Strauss seemed to appreciate the American achievement as a wonder of moderation. That "mixed" achievement, that splendid modesty of a moderating Constitution, was part of what Strauss had in mind when he remarked that the American Founders had built on "low but solid ground."

The American regime might have been a modest achievement, but for Strauss it deserved to be celebrated and revered, even by the religious. For this republic under law seemed to offer the best practicable arrangement for preserving the freedom of religion in the modern regime.

And in fact, this point must be made in drawing the proper lines between Strauss and his adversaries: Strauss's reticence, his scheme of holding back, was governed finally by his commitment to constitutional government and the American regime. His overriding political motive was to avoid dislodging from the public the opinions that sustained this decent regime. In a striking contrast, his critics trumpet their commitment to democracy and equality, while they make it their mission to deny every moral premise that supports, in the public mind, the rightness of a "government by consent."

Strauss's critics might have misread him on a critical point precisely be-

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cause they did not pay attention to what was so evident on the surface: Strauss held back from claiming a superiority for the philosophers precisely because the philosophers were too quick to dismiss the claims of revelation. They began by putting their main trust in their intellect, and by treating with dubiety the ancestral teachings drawn from revelation. That ordering was implicit, for example, in Spinoza's new Bible science, in the willingness, as Strauss said, to read the Bible as we would read any other book. Strauss complained that Spinoza had put the Old and the New Testaments on the same plane, treating them as documents, or teachings, of equal value. But when the attempt was made in this way to find the thread that linked these two traditions, that common thread turned out to be, as Strauss said, "rational morality."

And yet, in Strauss's classroom there were Catholic priests, along with Jews from the Orthodox to the irreligious. What connected everyone in that room was the interest in standing against the current culture with its variants of moral relativism. But that is to say, what connected the Christians and Jews in that room was the religion of reason, or "rational morality."

A friend once asked a venerable professor, who had known Strauss well, just "what kind of a Jew" Strauss was. And the response, after a thoughtful pause, was: "Strauss was the kind of Jew he thought Maimonides was." With its stylish, enigmatic turn, the reply concealed a melancholy answer. One accomplished scholar, who was very close to Strauss, is certain that Strauss's deep reading of Maimonides had brought him to a sobering conclusion that had to be guarded: namely, that Maimonides had reasoned himself away from his own belief in God. But when Strauss lectured, many years ago, at Amherst, a young professor of English reacted with disbelief. The lecture made sense, he said, only if Strauss believed in revelation. To which Strauss replied, "I'm a Jew." The young professor retorted, "But what does that mean—these days?" To which Strauss said, "That's not *my* problem." I relayed the story to Milton Himmelfarb, a learned man in all things Jewish, who had remarked that Strauss had not often been seen in the synagogue. He listened to this story and observed, "Well, it was Athens and Jerusalem, wasn't it? His heart was in Jerusalem, his head was in Athens, and the head is the organ of the philosopher."And after all the shadings and turns in the argument, after all the ellipses and writing between the lines, that may be, in the end, the truth of the matter.

Strauss might have borne the reservations of a philosopher, but he was not going to build those reservations toward a decision to overthrow, on his own, the religion that had been handed down to him by his father, and by his father before him. Strauss would earnestly preserve his reverence, and that reverence might have been shown in his willingness, precisely, to mute or submerge his philosophic doubts.

But then too we must remind ourselves that the reverence for the ancestral could not involve, for Strauss, the suspension of moral judgment. For Strauss, the honoring of tradition meant the honoring of a legacy of serious reflection about the laws, about the things that were right and wrong. Strauss knew that the tradition of his fathers was—as he insisted at so many turns—a religion of reason. It was plain even to the dimmest onlooker that Strauss stood against that tendency, diffusing itself through the academy, to reduce morality to conventions, or to the habits of the local tribe.

It is only with the character of the academy in our own day that a scholar who spent his life in this way could be accused of atheism by writers who readily sneer at God and religion. And it is only with the character of modern journalism that he could be accused of elitism by writers who sneer at the wisdom of the people. That they should level such charges at Strauss for trying to work through his perplexities without being flippant or scandalous; that they should accuse him, with his corpus of writing, of "cynicism," is a gesture that can spring only from men who are themselves no strangers to cynicism.

When we studied with Strauss, late into the winter afternoons, the concentration was riveting, the spirit pervasively religious. The text might have been drawn from Plato or Locke, but none of us doubted that the curriculum in which we were immersed now with our hearts was the religion of reason.□

FILM

Forget Paris, Come to Sorrento

JOHN SIMON

AH, THE romantic movie! It will, I trust, always be with us in one form or another, but it has been somewhat recessive of late. True, there is the unsatisfactory *While You Were Sleeping*, and *French Kiss*, which I haven't had the stomach to face. And now we have ***Forget Paris***, whose premise is that though one glorious week in Paris can lead a couple to the altar, it cannot make them stick. Or can it?

This movie is produced, co-authored, and starred in by Billy Crystal, which already is too much of a not so good thing. He plays Mickey Gordon, a short but dauntless basketball referee who can stand up to the tallest guys and make his call stick—but a call is not a marriage. This in itself is a problem: a romantic film that dawdles over basketball to capitalize on the presence of actual basketball stars is obviously hedging its bets. If the thing is about romance, forget basketball. But okay. We go first into screwball comedy, which *is* compatible with romance. Mickey, who has rightly hated his worthless just-deceased father, has undertaken, in an act of filial *pietas*, to take the coffin to Normandy and bury Dad, according to his wishes, among his fallen Army buddies. But upon arrival at the Paris airport, Dad is missing, coffin and all.

To help, in comes Ellen Gordon (Debra Winger), an official for the French airline that is Air France in disguise. The day Air France hires an American—and one whose French is as thickly accented as Miss Winger's—for such a job is hardly at hand. But okay, forget verisimilitude. The coffin is finally retrieved in Switzerland (cold storage?) and buried in a small Normandy churchyard. And who shows up to prevent Mickey from being the sole graveside mourner? You guessed it: Ellen. In this film, one or the other lover will always pop up where least

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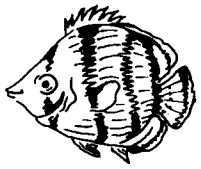
expected, thus making the unexpected unsurprising. But okay, forget surprise. I suppose Ellen felt so sorry for an American whose French was even worse than hers, she had to do something extra for him.

Back in Paris, the film shows the pair raptly visiting all the most obvious sites. It would appear that the City of Light has at least four Eiffel Towers, because one of them seems to make it into almost every frame. The Pont Neuf is Number Two on the hit parade, an awed Mickey exclaiming that they are standing on the very bridge danced upon by Gene Kelly and Leslie Caron in *An American in Paris*. Centuries of French art and architecture have not labored in vain: they produced a set for a movie that thrilled a future American basketball referee.



And so we rattle around the prize Parisian movie sets—though, mercifully, we are spared the Sacré Coeur. But then it's back to America and basketball for Mickey. Still, he and Ellen do get to pop up in each other's lives until he pops the question and she marries him. But in L.A., where he is always away refereeing, lonely Ellen can get only a lowly job with a dinky domestic airline. (The good jobs, presumably, all go to Frenchwomen.) But okay, forget about the dumb story.

Forget Paris has a helluva framing device. The Mickey–Ellen affair is told, partly in voiceover, by a set of the couple's friends foregathering for dinner in a Los Angeles restaurant. Andy (Joe Mantagna), Mickey's sportswriter friend, starts telling it to his fiancée, Liz (Cynthia Stevenson), who is often moved to tears by it. They are joined by a married couple, Richard Masur and the obnoxious Julie Kavner, who become the successive storytellers. Then another friendly couple arrives to inherit the narration. Then—but forget about the framing device; let me just tell you about one more father. This is Ellen's, a lonely, senile widower (William Hickey, creepier than ever), whom Ellen moves in with her and Mickey, and who does nothing all day long but sing the same Toyota commercial, suggesting that the only good father is a dead father.

Crystal's co-writers were the notorious team of Lowell Ganz and Babaloo Mandel, responsible for a good many fizzles since their initial *Splash*. I'd like to think it was they who are responsible for this Paris exchange: "*Ellen:* Would you like to see the Eiffel Tower? *Mickey:* That's *here*?" After that you keep telling yourself things can only improve; but don't believe everything you tell yourself. Mickey tells us how sentimental he was about his high-school sex partner: "I used to carry a picture of my right hand in my wallet." And the grammar is on a par with the humor: we hear "get off of me" and "that big of a difference."

Debra Winger, a likably spunky actress, doesn't look right here: perhaps it is the fault of Judy Raskin's unflattering *basse couture*; perhaps Miss W.'s two (count 'em: two) special hair stylists fought with each other. Yet, ever a good sport, Miss Winger earns her wings with a scene in which a pigeon gets glued to her hair and she must embarrassingly parade with it through a crowded doctor's office on her way to a pigeonectomy. Billy Crystal, who, whatever his role, plays a stand-up comic, is far less likable. Worst of all is Cynthia Stevenson as Liz. I myself would rather wear a dovecote on my head than have *her* in my hair. Forget *Forget Paris*.

■ Three sisters always fire somebody's imagination. In Russia, Chekhov's; in Austria, that of the author of the popular operetta *Das Dreimäderlhaus*; in England (and elsewhere) the various fictionalizers of the Brontë sisters. In Australia, there was Hannie Rayson's play ***Hotel Sorrento***, now a movie directed by Richard Franklin, co-adapted by him and Peter Fitzpatrick.

This time round we get the three Moynihan sisters. Hilary runs a coffee shop out of the Moynihan house overlooking Melbourne Bay, fondly referred to as Hotel Sorrento. Pippa is back on a visit from the States to investigate setting up a sandwich franchise along American fast-food lines. Meg has become a writer in London, married an Englishman, and written a novel short-listed for the Booker prize. A thinly veiled autobiography, it doesn't make the other family members happy. These include Wal Moynihan, the widowed and autocratic patriarch who, with his grandson Troy, Hilary's child, goes for a daily swim in the Bay. Troy, 16, comes of age when, on such a swim, disaster strikes.

Meg, too, returns to the sweet, red-roofed family house with Edwin, her very British husband. Also occasionally around are Marge Morrissey, an elderly lady who is a weekend Bayside resident and avid reader of Meg's novel, eager to explore its basis in fact. And with her is Dick Bennett, an independent newspaper editor and columnist, keen on interviewing Meg. One of the key scenes is a lunch party at which Dick lights into Meg and her novel as examples of the betrayal of Australia and Australian values; of course, Pippa and her Americanization are also implicitly under fire. The debate becomes fierce. Yet Hilary's sedentariness is seen as a provincialism equally questionable. And then there is an old family drama that comes out in the wash.

If this sounds a bit like soap opera with political overtones, so it almost is. But that almost makes an important difference, setting *Hotel Sorrento* apart from and above that justly despised genre. Such issues as leaving home versus staying, American and English values versus homey Australian ones, writing tell-all books that may hurt your relatives' feelings even if they become artistic successes, exogamic marriage between an Aussie and a Brit, responsibility for a possibly avoidable fatal accident, the takes of outsiders on a family (Marge romanticizes it, Dick is critical of it), and, above all, the internecine rivalries and recriminations among the sisters are all treated with cogency and a solid dramatic sense.

In fact, there is only one scene that misfires: precisely that crucial luncheon debate, which has an awkwardly stagey feel and look. Otherwise, the movie works, and does not exhibit that stiltedness often adhering to adaptations of stage works. For this, thank Richard Franklin, who has directed (as well as adapted) with a nice feeling for both the picturesque land- and seascapes and the stormily riven soulscapes. Geof Burton, a fine Australian cinematographer, does everything possible to evoke the *genius loci*. And there is quietly intense acting from everyone, notably the sisters, played by Caroline Goodall (Meg), Tara Morice (Pippa), and Caroline Gillmer (Hilary), who could, however, shed thirty pounds with impunity. And as Marge, there is the incomparable Joan Plowright, whose sly expressions and magisterial elocution double-bottomed

Mr. Simon is NR*'s film critic.*

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with irony make everything she touches at least doubly alive.

■ I lasted exactly 15 minutes—the traditional *mauvais quart d'heure*—at ***Johnny Mnemonic***, an international mess written by the novelist William Gibson, directed by the artist Robert Longo, and starring Canada's finest, Keanu Reeves. This is an action thriller ostensibly set in the cybernetic future, displaying visuals that are (however inconsistently) futuristic along with a plot as old hat as a coonskin cap. It is a prime demonstration of what T. S. Eliot called dissociation of sensibility—or, better yet, of the ever more present future schlock. □

MANNERS AT THE GYM

Pumping Iron—Politely

RICHARD BROOKHISER

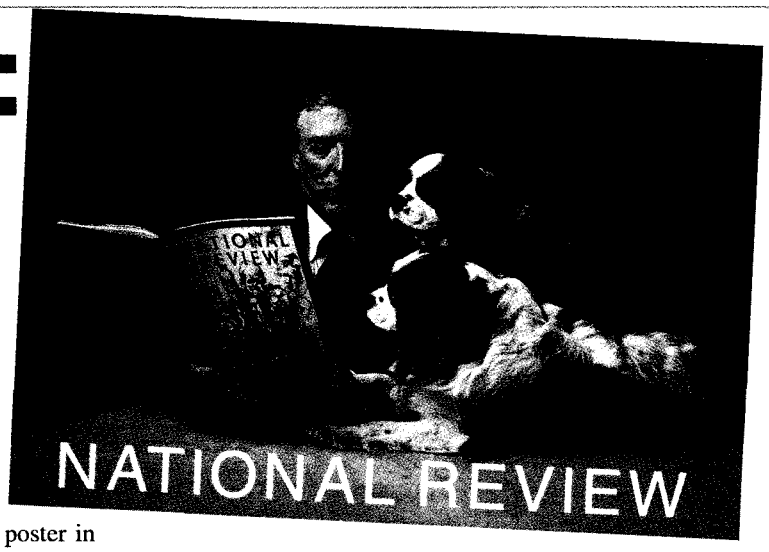
A WHILE ago I decided I needed to exercise, and so I joined a gym. Now I belong to two.

The first is part of a chain, and is patronized by people much like myself: middle- to upper-middle-class professionals, almost all white. I once found a publisher I knew sitting on the next exercycle. There is a sauna, a steam room, a health-food bar. The gym offers a variety of services, from aerobics classes to baby-sitting. There is water pressure in the showers, and purple carpet on the floors. The oak lockers are minded by an old Rumanian attendant. The music on the sound system is bad rock.

My other gym is in a converted loft. The walls are battleship grey, and there is no carpet. The shower stalls look like decommissioned Port-o-Sans, and the only service offered is buzzing you in from the street at night (the gym is open 24 hours a day, 365 days a year). A sign in the locker room—which has no attendant—warns that any locks left on overnight will be sawed off. Few of the patrons work in publishing. It's hard to imagine what work they could do, except train one another, although debt collection is another possibility. I am 6′4″, but I am not big. I will never be as big as they are, unless I go on an all-steroid diet. If I met any of these men—or many of these women—in an unfamiliar subway station at night, I would curse myself for not calling a car. Half the patrons are white, and half are black. The music is bad rock, at a volume that should carry a surgeon general's warning.

There are many other differences between the two gyms, but the most striking is the difference in moral atmosphere. In one you haggle over equipment. You are harassed by people who want to use the machine you're on, or you find yourself harassing others when they've been on the leg press for half an hour. You put up with narcissists flaunting their bods and flirting with their trainers. This gym has all the wear and fret of New York life, plus lactic acid in your muscles, and sweat. It is the middle-class gym. The

Bill Buckley: Editor. Author. Columnist. Poster Boy?



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polite gym—where everyone respects your space and no one ever carries on, the last bastion of "please" and "thank you"—is the gym of the Hulks.

There are shadings in the picture. Many of the people in the middle-class gym are quite nice, though they don't set the tone. There has also been a trickle of immigrants to the second gym (me, for instance), though in that environment we behave ourselves. Why the difference? One reason, surely, is fear. To step out of line at the second gym would be to risk serious bodily harm. I would be torn limb from limb. If two hulks ever came to blows, there would not be sudden destruction—rather something like the Cold War, or one of those sword fights in the *Morte d'Arthur* that last for four hours. Either way, it's simpler to be nice. Another reason is the inverse relation between size and irritability. Among dogs, the yappers are always Yorkies, the things that fit in purses and make you think of calling pest control. The St. Bernards and the Great Danes sit calmly under their vine and fig tree. The same is true of people. I imagine William Howard Taft was a very genial man. We know what Ross Perot is like.

But the most important reason for the difference is the difference in focus. Some of the people who go to the first gym do not want to work hard at all, and few of them want to work very hard. Most of them want to keep in shape, and to improve their looks somewhat. There is nothing wrong with such modest goals, but it means that they see their workouts as something they do in passing, and the momentum of where they have come from and the anticipation of where they are going runs through their time at the gym like radio waves through the ether. In a manic, exhibitionist environment like Manhattan, that means the first gym will reflect the outside world's mania and display. The first gym *is* the outside world, in T-shirts.

For the leaders of society in the second gym, a workout is a destination. They know what they want, and they know what they have to do to get it. They want to get huge, and that takes time and concentration. We who do not want to get so huge, in the Rome of Muscle, do as the Romans. Flirting is a distraction. There can be a certain amount of boisterous sexual joshing in Gym #2, of a kind that would call down the politeness police if it were done in a law firm, or in print, but here it isn't taken, or meant to be taken, seriously. "I could not love thee, dear, so much, loved I not free weights more" is the attitude. Another distraction is the bellows of exertion, frequently heard in Gym #1, which notify the next county that you are working *really hard*. But since the next county's knowledge of the level of your efforts won't make you one quarter-inch larger, such cries are forgone by the patrons of Gym #2, who do their work in silence.

Body sculpture as a project is endless. Once you become huge, then you must become differentiated, like a chart from *Gray's Anatomy*. Consider the fate of Arnold Schwarzenegger. He is still held in honor in the world of iron. Like Newt, he needs no last name. One trainer, who worked in Gym #1 but who belonged spiritually in Gym #2, once told me that his Austrian girlfriend—another body-builder—was from a town *near* a town where Arnold once lived. This was important. But the winners of competitions whose pictures fill the body-building magazines have carried the science of fine-tooling flesh beyond the point where Arnold left it when he left the gym for Hollywood, and hanging out with Republicans. Mind you, he would still look awesome if he showed up at Gym #2 to do a few supersets. But the envelope has been pushed outward, luring the body-builders on after it.

It does not lure me. My goals are humble: not dying of a heart attack when I've pressed an elevator button 15 times and the elevator is still on the sixth floor; not looking like a brittle-boned ibis when I retire. But I do more, and I dislike it a lot less, when I work out in the company of the specially dedicated. □

Mr. Brookhiser is a senior editor at NR.

BOOKS IN BRIEF

Middle-Class Dreams: The Politics and Power of the New American Majority, by Stanley B. Greenberg (Times Books, 338 pp., $25)

EARLY on, White House pollster Stanley Greenberg assures us that the Republican victories last year "were impressive, but merely political." Which is akin to dismissing the U.S. victory in the Gulf War as "impressive, but merely military." But such is the level of analysis in this thin book that, when it isn't evasive, it is doggedly platitudinous. Mr. Greenberg should have rushed into print two years ago when he still seemed the brilliant public-opinion guru to the nation's next JFK. Now he's inconvenienced with tiptoeing around odoriferous messes such as the health-care reform he once argued would wed the middle class to the Democrats for a generation; here he devotes just two paragraphs to the Clinton proposal and blames its defeat on the machinations of Bill Kristol. Greenberg's central idea is that the two parties have traditionally advocated clashing visions of prosperity: top down for the Republicans, bottom up for the Democrats. The party best able to sell its vision to the Average Joe wins elections. Not much new here. Nor is Greenberg's call for a "new contract" to reconnect alienated middle-class voters to American politics. As Mr. Greenberg might have noticed, Newt Gingrich has been playing with a similar idea.

—RICH LOWRY

The Pill: The Untold Story of the Drug That Changed the World, by Bernard Asbell (Random House, 432 pp., $25)

ALTHOUGH this biography of "the Pill" is at times an interesting read, in sum it is less an historical account than another piece of propaganda for "choice." Bernard Asbell makes the pill and those who created it heroes (as well as Margaret Sanger, though he is at least honest about her advocacy of eugenics); the villains are Roman Catholics who opposed the pill, especially Pope Paul VI and his *Humanae Vitae*. There is no discussion of the moral implications of the pill as seen in its fruits, such as legal abortion. Instead, RU486 is simply another pill; it's all a matter of hormone manipulation. Mr. Asbell does throw in a final chapter in which he pretends to grapple with the moral complexities of "biointervention," but he has already decided in favor of "medicine" to both prevent life and hasten death, because "bringing down the birth rate through the Pill or any other birth control" may no longer be the "cure for overpopulation" if "more and more people procrastinate in their obligation to die." —MARIA MCFADDEN

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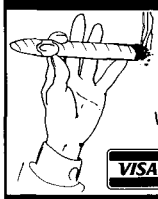
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TRANS-O-GRAM / Kem Putney

1 C	2 L		3 G	4 H	5 A	6 R	7 I		8 F	9 J	10 P		11 M	12 N	13 B	14 E	15 U	16 D		17 I	18 L	19 A
20 H	21 E		22 J	23 B	24 D	25 G	26 S	27 M	28 H	29 F	30 A		31 N	32 K		33 E	34 J	35 C	36 L	37 O	38 G	39 M
40 B	41 F	42 A	43 I	44 H		45 L	46 R	47 X	48 J	49 B	50 V	51 C	52 I	53 E		54 P	55 L	56 C	57 N	58 S		59 F
60 U		61 H	62 B	63 D	64 J	65 T	66 W		67 C		68 P	69 N	70 R	71 E	72 D	73 I	74 U	75 L	76 A		77 M	78 E
79 F	80 P	81 H	82 A	83 I	84 V	85 L		86 S	87 H	88 C	89 B	90 I	91 R	92 K	93 M	94 P	95 A		96 J	97 O		98 N
99 S	100 B		101 R	102 U	103 K	104 T	105 X	106 P		107 V	108 O	109 J	110 G	111 I	112 C		113 H	114 Q	115 D		116 R	117 L
	118 F	119 J		120 G	121 P	122 M	123 W	124 F		125 C	126 E		127 N	128 C	129 B		130 L	131 P	132 S		133 J	134 W
135 R	136 K	137 I	138 N	139 X	140 U		141 F	142 D	143 T	144 Q	145 I		146 M	147 A	148 L		149 H	150 I	151 R		152 C	153 E
154 A	155 Q	156 U	157 K		158 A	159 H	160 B	161 L	162 C	163 U	164 X		165 L	166 G	167 T	168 O		169 K	170 D	171 W	172 J	173 P
174 M	175 C		176 S	177 F	178 G	179 V	180 J	181 A	182 O		183 D	184 E	185 N	186 G	187 B	188 I		189 V	190 H			

DEFINITIONS

A. Important building elements — 147 181 19 158 76 5 95 42 82 154 30

B. Spotless — 13 160 49 89 23 62 187 40 129 100

C. State of growing apart — 128 112 125 152 67 51 56 162 1 175 35 88

D. Makes fun of—Harvard-style — 142 72 63 183 24 115 170 16

E. Important papers — 21 126 33 153 78 184 14 71 53

F. Track-meet necessity — 124 59 79 141 8 177 41 29 118

G. Adults, to the children (hyph.) — 3 38 166 120 25 110 186 178

H. Financial atonement — 4 44 61 149 28 87 159 113 81 190 20

I. Feats — 137 90 150 73 111 43 188 7 145 83 52 17

J. Loud lawyers? — 64 34 48 96 9 172 180 119 133 22 109

K. Short-sighted — 92 157 32 136 169 103

L. Shipboard diversion — 36 130 55 117 148 85 75 161 18 45 2 165

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N. Completely — 185 69 98 12 138 127 57 31

O. Musical sounds — 168 97 182 37 108

P. Where Pat Buchanan might put foreign policy — 173 68 54 106 121 80 131 10 94

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R. Sparkles — 101 91 116 6 135 151 46 70

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T. *Scottish isle* with religious importance — 104 65 167 143

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V. Thoughts — 107 189 50 84 179

W. Old-time political cartoonist — 66 134 171 123

X. Jokes, to stranglers — 139 105 47 164

DIRECTIONS

The object of TRANS-O-GRAM is to fill in the puzzle diagram by guessing the words from their definitions, and transferring each letter of the guessed word to the correspondingly numbered square in the diagram. When the diagram is filled in it will spell out a quotation from some published work (reading normally from left to right, black boxes indicating the ends of words); also, when the words have all been filled in above, their initial letters will spell out the author and title of the quoted work. The acrostic feature, and the relative word-lengths in the diagram, will assist in the solution. Spelling and definitions on the authority of *Webster's Deluxe Unabridged Dictionary*, Second Edition.

Solution to Last Issue's Trans-O-Gram. BILL RUSHER: *Out of Control?*: "Waco and Ruby Ridge do not loom large in the average American's bill of indictment against the government. The burden of that complaint is less dramatic but far more comprehensive. Forget the Michigan Militia."

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Let War Settle Yugoslavia

NEW YORK, MAY 30

Most of us have provocative little epigrams, stored in the catacombs of the mind because they tend to be (mine are) iconoclastic. From time to time they leap up, demanding attention. Twice, in days gone by. The first evoked by the news that the nation's medical-research centers are running out of money; the second, that the Yugoslav mess had reached impasse.

The first of the fugitive thoughts was given to me as a college student by a professor scanning that day's newspaper featuring a cure for cancer, which cure of course never materialized. "We have to die of something," he said. The second observation was made by James Burnham, who told me during the Korean War, "You know, it's not true that wars settle nothing."

Three years ago in the former Yugoslavia there were two opportunities, one driven by moral motives, the second, by strategic motives.

Margaret Thatcher, arguing for decisive intervention in the area, insisted that here was a union of the two. We had only just concluded a war against Iraqi aggression. The operation was so neat, so trivial in cost, that Wilsonian impulses were fired up, and President Bush spoke of a New World Order. That turned out to be a dangerous phrase, because it bespoke more than Mr. Bush intended. But if on the cutting-room floor anything was left of it, it was that aggression would not be permitted to succeed.

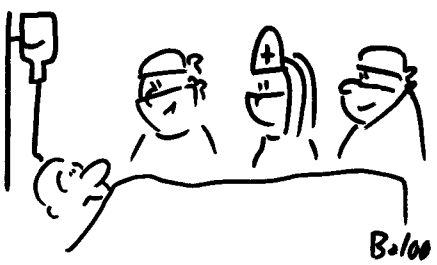
And in Yugoslavia, Mrs. Thatcher urged, we had a challenge to NATO unambiguous in its demands for treatment. The reason for action by NATO, she argued, had to do not merely with keeping some sense of order in one's back yard, but also with acknowledging that the stakes weren't purely parochial. The temptation to aggression in Macedonia provoking Greek reprisals, the cordite that leads to the Muslim periphery and the possibility of a holy conflict on a grand scale—all of this prompted, said Mrs. Thatcher, intervention.

The case to the contrary was also plausible—there is always a presumption against sending troops to foreign places. To begin with, making the world safe for democracy is unmanageable. It is what, with a smile, some theorists would renounce as an attempt to immanentize the eschaton. Another reason to stay away was the ambiguity of the claims of every single one of the four parties: the Serbs, the Croats, the Bosnian Muslims, and the Bosnian Serbs. And there were those who insisted that this was the wrong moment to interfere with an ally of the late Soviet Union, suffering DTs from taking in democracy cold turkey.

What the allies then did was, so to speak, nothing. Dr. David Owen and Mr. Cyrus Vance put forward a peace plan that looked like an American congressional district designed to produce a black congressman, in appearance more like a Rorschach test than a lapidary geographical line on the order of the 38th Parallel in Korea or the DMZ in Vietnam. Moreover, the plan would have ceded to the Serbs 70 per cent of the territories they had occupied by aggression.

But then having failed at the diplomatic table, we sponsored a peacekeeping plan that temporarily stilled military activity and stuck to a policy of denying the Bosnians and Croats access to military weapons with which they might deflect the Serbs. The flat reasoning for this—more arms mean more war—was better suited for the nursery than for the Situation Rooms of the West.

There was the lull, and then the Bosnian Serbs began their provocations, the UN command retaliated with a pinprick of reproach, and now the UN peacekeepers face the humiliation of being tied individually to stakes that laugh scornfully at Western innocence.



"Try to hold on as long as you can, sir—we'll start operating as soon as the check clears."

We cannot know whether the hostages can be saved. It is only predictable that, at the earliest opportunity, the sponsoring peacekeepers will pull out.

As they should do. Simultaneously, we should end the arms boycott. And, alternatives having been ruled out, we have then to let the war define itself, and the smoking residue of Croatia, Serbia, and Bosnia-Herzegovina. □

Bill? Phil? Bob? Pete? No. Lamar

NEW YORK, MAY 19

Lamar Alexander was lunching with a few associates whose immediate plan was to schedule an affair in New York City to raise one hundred thousand dollars—that's one hundred guests, each paying the one thousand bucks that is the maximum contribution.

"What about people who have maxed out?" one person asked.

"Bring their children."

Translation: If John Peterson is enthusiastic about the Alexander for President campaign, but has already given one thousand dollars, then tell him to arrive with Daisy Peterson, his precocious 11-year-old daughter, hand her a thou, and she can give it in her own name. Evasion of the law? *You* try to run a presidential campaign. Witnesses to such mild evasive tactics get mad not at the Yankee traders but at the stupid laws. Jack Kemp bowed out because he figured if he stayed in the race, he would need to raise seventy thousand dollars per day between now and the New Hampshire primary, and he decided finally that he didn't want to spend his life doing that kind of thing.

But Lamar Alexander is willing, and he has raised $5.2 million. That is more money than George Bush had raised at a comparable moment in his own decade-long run for the Presidency. It is more, in fact, than Bill Clinton had raised right up to primary season. So he is content with the progress he is making. And that's good, because there is a kind of congruity between contentment and Lamar Alexander. Though he is running precisely because he doesn't believe that the contentment associated with the American experience is in overdrive. This is so in part because Mr. Clinton is not a

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very good President, in part because America is stalled. Alexander tells us, over lunch, that young people, probed directly on the question, don't believe that the prospects for America—for them—are all that reassuring. By nature Lamar Alexander is a Couéist ("every day, in every way, things are getting better and better") and he feels cheated when things aren't going in the right direction, at the right speed. To get back on the road we need to reform Washington, D.C., and to revive a sleepy ethos in the American people, made sleepy by the sedatives of welfarism and the general chaos of American foreign policy (". . . after two years of President Clinton we find ourselves in the midst of what might be called a 'new world disorder' ").

But everybody wants to know, What are the prospects of an Alexander nomination? He has an experienced cadre. Many of the same people who in other years, in other primaries, were working for Bob Dole are now in Alexander's band. When Jack Kemp pulled out, his closest people went to Alexander; and so was it with Dick Cheney.

Forget Dole just for a minute; what about Phil Gramm?

When eight years ago first all the Democratic candidates, then all the Republican candidates, appeared jointly on *Firing Line*, one of my questions to the individual contestants was: What is the weakness in the candidacy of Contestant B? Politicians are reluctant to criticize each other when in cozy circumstances, in the same television studio or auditorium. But it has to be a part of their case. Candidate Alexander cannot tell us that the reason to vote for him, not for Gramm, is the color of his beautiful blue eyes. He has to say more, and he does.

Beginning with what hurts least, and going to what hurts quite a lot: To begin with, he says, Gramm is a Washington insider. The American people don't really want an insider: they want somebody who is experienced, sure, but somebody who hasn't lived and breathed the Beltway. Alexander has been a Cabinet member, but that's different from the radiation you get as a year-after-year member of the legislature.

What else?

Well, the President must do something for the American people. "It's like when you go to church: You want to feel good. You don't want somebody who grouches at you." He thinks Phil Gramm gives off a kind of schoolmasterish austerity.

And Dole? "The man who is elected President next year will wake up in the White House in the year 2000. Dole will win a lot of prizes, and deserves them, like Everett Dirksen. But he doesn't give off the feel of the man to lead America into the next century."

So what is his short-term prediction?

That at the end of the year, Dole will be the favorite, and Lamar Alexander the challenger. □

O.J. on Our Mind

NEW YORK, MAY 23

Circumstances brought me into contact with a gentleman who started to chat about the O. J. Simpson trial. He spoke of the DNA findings with almost proprietary authority. "They were that way for years about fingerprints, the doubters. But there isn't any doubt, not any longer. They talk about the lack of eyewitnesses. Huh! Eyewitnesses are less reliable than DNA."

There was the famous stunt of the Yale law-school professor. Early in the term, in his course on evidence, one day someone jumps through the back door, pistol in hand, and fires at the professor's head; he falls obligingly to the ground with a deathly grunt. The killer runs back out, and the professor quickly rises from the dead—the whole act has taken only six seconds.

He then instructs his twenty students to describe exactly what they saw. Fifteen minutes later he reads to them from their individual accounts. There are a dozen different descriptions of the assassin, of exactly what happened, of how the professor fell.

DNA doesn't make such mistakes, said my acquaintance, who, I learned a few minutes later, had won a Nobel Prize for his work in science.

There were two questions, the first: Was there any of O. J. Simpson's blood at the murder scene? The second, Was there any blood of the victims back in Simpson's house? The answer to both questions is, Yes.

Those who wish to hold open the question whether O. J. Simpson is guilty have got to resort to terribly abstruse stuff, as Mr. George Johnson did in the *New York Times* on Sunday. He quoted the philosopher Karl Popper to the effect that hypotheses ("O.J. is guilty of murdering his ex-wife and her friend") can never be "proved." And we are given an example, the one about the swans. "No matter how many white swans you see, you are not entitled to conclude that all swans are white. A black one may be lurking around the corner." But in the spirit of fairness we are reminded of the Auxiliary Hypothesis: "Even if you *do* see a black swan, that doesn't necessarily mean that your hypothesis about swan whiteness has been refuted. Perhaps this black swan is really white, but a disease of some sort blackened its feathers. Perhaps it fell into a coal bin. Perhaps through a momentary neurological defect—a misfiring neuron—your visual system incorrectly registered the color. And even if a hundred people say they saw the black swan, it's possible that an errant electromagnetic field somehow distorted their brain waves."

The defense, no doubt in anticipation of the DNA findings, did its best to suggest that the blood samples were contaminated, but this line of objection proved to be utterly implausible. There is left to the defense the contention that all the evidence was planted—what one might call an Oliver Stone defense. Yes, there is the possibility of a black swan there: it would however require that about four people acting outside the view of anyone else instantly put into effect a blood-swab choreography that George Balanchine would have needed a month to compose. And when one thinks of the hundreds of hours the defense has spent documenting the carelessness of the Los Angeles police force and its criminalists, the juror is likely to ask himself: How can the same set of people who made so many mistakes in collecting evidence have acted with such extraordinary precision in distributing blood samples here and there?

So what is the scientific weakness of the DNA sample? Presumably it is reduced to this: that even if it is so that this same DNA combination would not show up in the blood samples of four billion people, then yes, there is the possibility that the next person after the four billion would have the same DNA. But while the expert in DNA can't say that such blood samples cannot exist in another human being, he *can* say that the chances are four billion to one that they don't.

What we confront in Los Angeles is evidence that the processes of justice are, if not universally stalled, significantly enough arrested to warrant asking whether justice is dying; and if so, whether it is perishing from the creeping immobilizations brought on in the name of civil liberties. Another way to put it is this: That the only obstacle to the establishment of the guilt of O. J. Simpson is legal. The whole of the epistemological apparatus of the modern world—psychology, science, logic, reason—establishes that he is guilty. Only the law stands in the way of the application, paradoxically, of justice. □

(Universal Press Syndicate)

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Honey, I Shrunk the Attention Span

THE American attention span always has gotten a lot of attention. The first to note our easy distractibility was Alexis de Tocqueville. His findings were echoed by Frederick Jackson Turner, but being an American, Turner used the more tactful and romantic "restlessness." Other commentators were people with a stake in concentration, such as teachers, inventors, bridge players, and Jobean old salts who made boats-in-bottles. These earlier critics, who tended to use words like "stick-to-itiveness," held that Americans could not concentrate because we could not sit still. This opinion prevailed until the television age, when a new kind of critic announced that sitting still was destroying our ability to concentrate.

Sociologists of the Fifties warned that TV viewers were falling into the habit of thinking in clumps of ten or fifteen minutes, until a commercial came on and temporarily shut down the cognitive process. Actually this was the Golden Age of the American attention span. Early TV had some meaty shows such as *Hallmark Hall of Fame* and *Playhouse 90* that were presented live within the traditional boundaries of the drama, so the resultant thought-clumping was not very different from what playwrights had been doing for thousands of years.

The logic-friendly format of the theatrical act went out of style around the same time that more artistry went into commercials. Our attention span consequently shrank to about five minutes, according to the sociologists. It went on like this, with a new official attention span announced every few years, until it was down to thirty seconds. It stayed at that for a while, long enough to begin acquiring the cachet that attaches to permanence, but then the soundbite came along and turned thirty seconds into an eon.

No one has announced our new attention span yet, but there are hints. Bill Clinton promised to "focus like a laser beam" on the economy. A current bumper sticker, "Practice Random, Senseless Acts of Kindness," effectively says that if you help more than one old lady across the street, instead of leaving the second one standing there while you rush off to hug the squeegee man, you are in a rut. Computers are getting faster and faster, with each new speed advertised as "blazing," and Internet messages of "snail f---!" greet those who still use a 386.

Movies are becoming increasingly incoherent as scriptwriters strive for new ways to keep the restless interested. Gone is the orderly approach that Old Hollywood called "backstory"—filling us in on the action up to the point where the movie begins. It's a technique as old as storytelling. *Hamlet*: the king has died; *Rebecca*: the first wife has died; *The Odyssey*: the hero is setting off for home after a long absence. This is all we need to know to follow the plot, but we need to know it right away.

Apparently feeling that logical narration is for snail fanciers, today's movie makers eschew both backstory and the traditional flashback in favor of the staccato technique known as "cutting in and out."

The movie opens with a scene of bankers in conference. We barely know who everyone is, when suddenly the dreary discussion of loans is interrupted by a split-second shot of a naked smooth leg draped over a naked hairy leg. This means that an affair was had, but we have as yet no idea who had it. Back to the bankers for a few minutes, then another split-second shot of a knife on a kitchen counter. When the bankers adjourn for lunch we see the entwined legs again. This time the hairy leg fades out and immediately fades in again, covered now in prison orange. The orange-leg shot is mixed with a shot of a boys' baseball team in orange socks; back and forth, faster and faster, man's leg, boy's leg, bad orange, good orange, while the soundtrack emits whirring, clicking noises to suggest someone snapping still photos as fast as humanly possible.

Never mind the popcorn, the best accompaniment for today's movies is a surge protector. Other cinematic devices designed to nail our elusive attention are the split-screen telephone conversation and the zoom shot that pulls a human dot on the horizon into an extreme close-up so fast that our stomachs turn over. But of all the techniques for concentrating the mind, the most ironic is the freeze frame. A character who stops dead in his tracks and assumes a basilisk stare is probably supposed to remind the audience to focus like a laser beam, but in fact it resembles nothing so much as that menopausal dilemma of standing motionless in the middle of a room, trying to remember what it was you came in to get.

MUCH of our flagging attention is a natural reaction against the unnecessary tedium we create for ourselves. As the country that enshrined the clarion call of "quick 'n' easy" and still believes ads promising mastery of a foreign language in only "ten minutes a day," wouldn't it make sense for us to be on the parliamentary system? We could have got rid of Bill Clinton long ago, but no, we wait out the whole grinding, nerdy, petulant four years, and then wonder why we can't keep our minds on anything.

Our distractibility is also the inevitable residue of our undisciplined feelings. The American proclivity for leaving our emotional lights on has drained the battery of our attention span dry. The human spirit can take only so much of 24-hour coverage, memorial services, ribbons, teddy bears, crisis counseling, and moments of silence. We pay such obsessive attention to disasters and tragedies that we end up seeking respite in forgetfulness. (Quick, name one Teheran hostage.)

Welcome to America the Flea Circus. We now have a new disease, Attention Deficit Disorder, and like all democratic diseases, it does not discriminate. The good news is that by the time we run the gauntlet of ADD resources, clinics, programs, workshops, seminars, CBS Specials, and Sally Struthers promos, no one will remember what it is.

—FLORENCE KING

St. Martin's has just published The Florence King Reader, *an anthology.*

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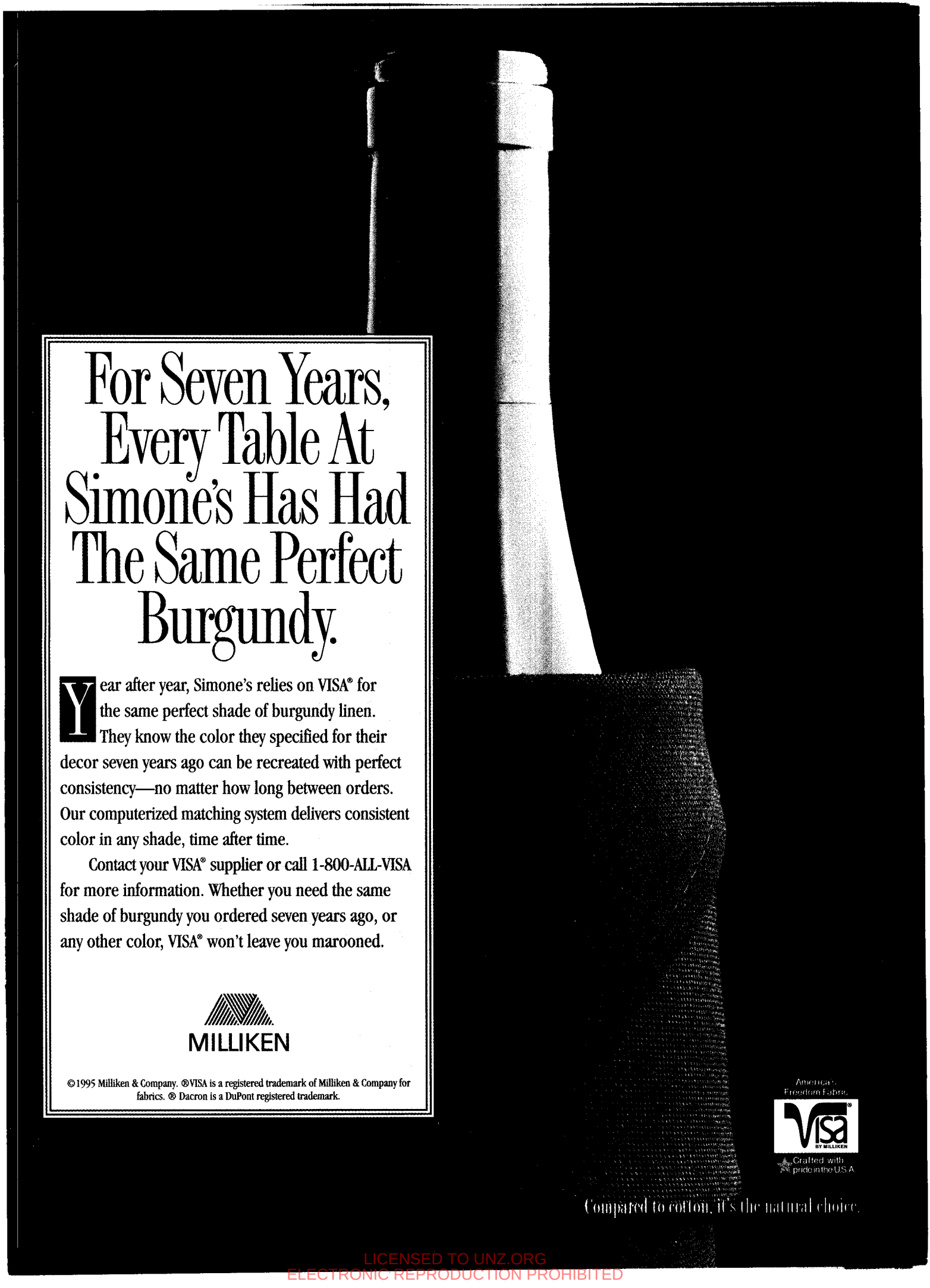

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